

# **JOURNAL**

**OF**

# **THE SENATE**

**OF**

**THE UNITED STATES OF AMERICA;**

**BEING THE SECOND SESSION OF THE TWELFTH CONGRESS:**

**BEGUN AND HELD**

**AT THE CITY OF WASHINGTON,**

**NOVEMBER 2, 1812,**

**AND IN THE THIRTY-SEVENTH YEAR OF THE INDEPENDENCE OF THE SAID UNITED STATES.**

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**WASHINGTON :**

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**1821.**

# CONGRESS OF THE UNITED STATES.

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**THE** Second Session of the Twelfth Congress commenced this day at the city of Washington, conformably to the act passed at the last session, entitled "An act fixing the time for the next meeting of Congress;" and the Senate assembled.

**MONDAY, NOVEMBER 2, 1812.**

## PRESENT,

From the State of New Hampshire,	the Honorable	{ Nicholas Gilman and Charles Cutts.
Massachusetts	the Honorable	Joseph B. Varnum.
Connecticut,	the Honorable	Chauncey Goodrich.
Rhode Island	the Honorable	Jeremiah B. Howell.
Vermont,	the Honorable	Jonathan Robinson.
New Jersey,	the Honorable	John Lambert.
Pennsylvania,	the Honorable	Michael Leib.
Delaware,	the Honorable	Outerbridge Horsey.
Maryland,	the Honorable	Samuel Smith,
North Carolina	the Honorable	{ Jesse Franklin and James Turner.
South Carolina,	the Honorable	John Gaillard,
Georgia,	the Honorable	{ William H. Crawford and Charles Tait.
Tennessee	the Honorable	George W. Campbell.
Ohio,	the Honorable	{ Thomas Worthington and Alexander Campbell.

The Senators present not being sufficient to constitute a quorum,

On motion,

Adjourned to 11 o'clock to-morrow morning.

**TUESDAY, NOVEMBER 3, 1812.**

The Senate assembled, present as yesterday; and the Honorable Andrew Gregg, from the state of Pennsylvania, and the Honorable John Taylor, from the state of South Carolina, severally attended.

The Honorable William H. Crawford, President pro tempore, resumed the chair.

On motion, by Mr. Leib,

*Ordered*, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: I am directed to inform the Senate that a quorum of the House of Representatives is assembled, and are ready to proceed to business.

They have appointed a committee on their part, jointly with such committee as may be appointed on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled and ready to receive any communications that he may be pleased to make to them. And he withdrew.



On motion, by Mr. Leib,

*Resolved*, That the Senate do concur in the appointment of a joint committee on their part, agreeably to the resolution last mentioned; and

*Ordered*, That Messrs. Gaillard, and Smith, of Maryland, be the committee.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion, by Mr. Leib,

*Resolved*, That a committee be appointed, agreeably to the 42d rule for conducting business in the Senate; and,

*Ordered*, That Messrs. Leib, Franklin, and Gregg, be the committee.

On motion, by Mr. Leib,

*Resolved*, That each Senator be supplied, during the present session, with three such newspapers printed in any of the states as he may choose, provided that the same be furnished at the usual rate for the annual charge of such papers: and provided, also, that if any Senator shall choose to take any newspapers other than daily papers, he shall be supplied with as many such papers as shall not exceed the price of three daily papers.

Mr. Gaillard reported, from the joint committee, that they had waited on the President of the United States, agreeably to order, and that the President informed the committee that he would make a communication to the two Houses at twelve o'clock to-morrow.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, NOVEMBER 4, 1812.

The Honorable Obadiah German, from the state of New York, took his seat in the Senate.

On motion, by Mr. Leib,

*Resolved*, That a committee of three members be appointed, who, with three members of the House of Representatives, to be appointed by the said House, shall have the direction of the money appropriated to the purchase of books and maps for the use of the two Houses of Congress; and,

*Ordered*, That Messrs. Leib, Tait, and Campbell, of Tennessee, be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Worthington submitted the following motion for consideration:

*Resolved*, That Mountjoy Bayly, Doorkeeper and Sergeant-at-Arms to the Senate, be, and he is hereby, authorized to employ one assistant and two horses, for the purpose of performing such duties as are usually required by the Doorkeeper of the Senate; and that the sum of twenty-eight dollars be allowed him weekly for that purpose, to commence with and remain during the present session, and for twenty days after.

Mr. German submitted the following motion for consideration:

*Resolved*, That two chaplains, of different denominations, be appointed to Congress during the present session, one by each House, who shall interchange weekly.

On motion, by Mr. Gregg,

*Resolved*, That a committee be appointed, agreeably to the 22d rule, for conducting business in the Senate; and,

*Ordered*, That Messrs. Robinson, Howell, and Gregg, be the committee.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*Fellow-citizens of the Senate and of the House of Representatives:*

On our present meeting it is my first duty to invite your attention to the providential favors which our country has experienced in the unusual degree of health dispensed to its inhabitants, and in the rich abundance with which the earth has rewarded the labors bestowed on it. In the successful cultivation of other branches of industry, and in the progress of general improvement favorable to the national prosperity, there is just occasion, also, for our mutual congratulations and thankfulness.

With these blessings are necessarily mingled the pressures and vicissitudes incident to the state of war, into which the United States have been forced by the perseverance of a foreign power in its system of injustice and aggression.

Previous to its declaration, it was deemed proper, as a measure of precaution and forecast, that a considerable force should be placed in the Michigan territory, with a general view to its security, and, in the event of war, to such operations in the uppermost Canada as would intercept the hostile influence of Great Britain over the savages.



obtain the command of the lake on which that part of Canada borders, and maintain co-operating relations with such forces as might be most conveniently employed against other parts. Brigadier General Hull was charged with this provisional service; having under his command a body of troops composed of regulars and of volunteers from the state of Ohio. Having reached his destination after his knowledge of the war, and possessing discretionary authority to act offensively, he passed into the neighboring territory of the enemy with a prospect of easy and victorious progress. The expedition, nevertheless, terminated unfortunately, not only in a retreat to the town and fort of Detroit, but in the surrender of both, and of the gallant corps commanded by that officer. The causes of this painful reverse will be investigated by a military tribunal.

A distinguishing feature in the operations which preceded and followed this adverse event is the use made by the enemy of the merciless savages under their influence. Whilst the benevolent policy of the United States invariably recommended peace and promoted civilization among that wretched portion of the human race; and was making exertions to dissuade them from taking either side in the war, the enemy has not scrupled to call to his aid their ruthless ferocity, armed with the horrors of those instruments of carnage and torture which are known to spare neither age nor sex. In this outrage against the laws of honorable war, and against the feelings sacred to humanity, the British commanders cannot resort to a plea of retaliation: for it is committed in the face of our example. They cannot mitigate it, by calling it a self-defence against men in arms: for it embraces the most shocking butcheries of defenceless families. Nor can it be pretended that they are not answerable for the atrocities perpetrated; since the savages are employed with a knowledge, and even with menaces, that their fury could not be controlled. Such is the spectacle which the deputed authorities of a nation, boasting its religion and morality, have not been restrained from presenting to an enlightened age.

The misfortune at Detroit was not, however, without a consoling effect. It was followed by signal proofs, that the national spirit rises according to the pressure on it. The loss of an important post, and of the brave men surrendered with it, inspired every where new ardor and determination. In the states and districts least remote, it was no sooner known, than every citizen was ready to fly with his arms, at once to protect his brethren against the blood-thirsty savages let loose by the enemy on an extensive frontier, and to convert a partial calamity into a source of invigorated efforts. This patriotic zeal, which it was necessary rather to limit than excite, has embodied an ample force from the states of Kentucky and Ohio, and from parts of Pennsylvania and Virginia. It is placed, with the addition of a few regulars, under the command of Brigadier General Harrison, who possesses the entire confidence of his fellow-soldiers, among whom are citizens, some of them volunteers in the ranks, not less distinguished by their political stations, than by their personal merits. The greater portion of this force is proceeding on its destination, towards the Michigan territory, having succeeded in relieving an important frontier post, and in several incidental operations against hostile tribes of savages, rendered indispensable by the subserviency into which they had been seduced by the enemy; a seduction the more cruel, as it could not fail to impose a necessity of precautionary severities against those who yielded to it.

At a recent date, an attack was made on a post of the enemy near Niagara, by a detachment of the regular and other forces, under the command of Major General Van Rensselaer, of the militia of the state of New York. The attack, it appears, was ordered in compliance with the ardor of the troops, who executed it with distinguished gallantry, and were for a time victorious; but not receiving the expected support, they were compelled to yield to reinforcements of British regulars and savages. Our loss has been considerable, and is deeply to be lamented. That of the enemy, less ascertained, will be the more felt, as it includes among the killed the commanding general, who was also the Governor of the province; and was sustained by veteran troops, from unexperienced soldiers, who must daily improve in the duties of the field.

Our expectation of gaining the command of the lakes, by the invasion of Canada from Detroit, having been disappointed, measures were instantly taken to provide, on them a naval force superior to that of the enemy. From the talents and activity of the officer charged with this object, every thing that can be done may be expected. Should the present season not admit of complete success, the progress made will ensure for the next a naval ascendancy, where it is essential to our permanent peace with, and control over, the savages.

Among the incidents to the measures of the war, I am constrained to advert to the refusal of the Governors of Massachusetts and Connecticut to furnish the required



detachments of militia towards the defence of the maritime frontier. The refusal was founded on a novel and unfortunate exposition of the provisions of the constitution relating to the militia. The correspondences which will be before you, contain the requisite information on the subject. It is obvious, that, if the authority of the United States to call into service and command the militia for the public defence, can be thus frustrated, even in a state of declared war, and of course under apprehensions of invasion preceding war, they are not one nation for the purpose most of all requiring it; and that the public safety may have no other resource, than in those large and permanent military establishments which are forbidden by the principles of our free government, and against the necessity of which the militia were meant to be a constitutional bulwark.

On the coasts, and on the ocean, the war has been as successful as circumstances inseparable from its early stages could promise. Our public ships and private cruisers, by their activity, and, where there was occasion, by their intrepidity, have made the enemy sensible of the difference between a reciprocity of captures, and the long confinement of them to their side. Our trade, with little exception, has safely reached our ports; having been much favored in it by the course pursued by a squadron of our frigates, under the command of Commodore Rodgers. And in the instance in which skill and bravery were more particularly tried with those of the enemy, the American flag had an auspicious triumph. The frigate *Constitution*, commanded by Captain Hull, after a close and short engagement, completely disabled and captured a British frigate; gaining for that officer and all on board a praise which cannot be too liberally bestowed; not merely for the victory actually achieved, but for that prompt and cool exertion of commanding talents, which, giving to courage its highest character, and to the force applied its full effect, proved that more could have been done in a contest requiring more.

Anxious to abridge the evils from which a state of war cannot be exempt, I lost no time after it was declared in conveying to the British government the terms on which its progress might be arrested, without awaiting the delays of a formal and final pacification: and our Charge d'Affaires at London was, at the same time, authorized to agree to an armistice founded upon them. These terms required that the orders in council should be repealed as they affected the United States, without a revival of blockades violating acknowledged rules; and that there should be an immediate discharge of American seamen from British ships, and a stop to impressment from American ships, with an understanding that an exclusion of the seamen of each nation from the ships of the other should be stipulated; and that the armistice should be improved into a definitive and comprehensive adjustment of depending controversies. Although a repeal of the orders susceptible of explanations meeting the views of this government had taken place before this pacific advance was communicated to that of Great Britain, the advance was declined, from an avowed repugnance to a suspension of the practice of impressments during the armistice, and without any intimation that the arrangement proposed with respect to seamen would be accepted. Whether the subsequent communications from this government, affording an occasion for reconsidering the subject, on the part of Great Britain, will be viewed in a more favorable light, or received in a more accommodating spirit, remains to be known. It would be unwise to relax our measures, in any respect, on a presumption of such a result.

The documents from the Department of State, which relate to this subject, will give a view also of the propositions for an armistice, which have been received here, one of them from the authorities at Halifax and in Canada, the other from the British government itself, through Admiral Warren; and of the grounds on which neither of them could be accepted.

Our affairs with France retain the posture which they held at my last communications to you. Notwithstanding the authorized expectations of an early as well as favorable issue to the discussions on foot, these have been procrastinated to the latest date. The only intervening occurrence meriting attention, is the promulgation of a French decree purporting to be a definitive repeal of the Berlin and Milan decrees. This proceeding, although made the ground of the repeal of the British orders in council, is rendered, by the time and manner of it, liable to many objections.

The final communications from our special minister to Denmark afford further proofs of the good effects of his mission, and of the amicable disposition of the Danish government. From Russia we have the satisfaction to receive assurances of continued friendship, and that it will not be affected by the rupture between the United States and Great Britain. Sweden also professes sentiments favorable to the subsisting harmony.

With the Barbary powers, excepting that of Algiers, our affairs remain on the ordi-



nary footing. The Consul General residing with that Regency has suddenly and without cause been banished, together with all the American citizens found there. Whether this was the transitory effect of capricious despotism, or the first act of predetermined hostility, is not ascertained. Precautions were taken by the Consul on the latter supposition.

The Indian tribes, not under foreign instigations, remain at peace, and receive the civilizing attentions which have proved so beneficial to them.

With a view to that vigorous prosecution of the war, to which our national faculties are adequate, the attention of Congress will be particularly drawn to the insufficiency of existing provisions for filling up the military establishment. Such is the happy condition of our country, arising from the facility of subsistence and the high wages for every species of occupation, that, notwithstanding the augmented inducements provided at the last session, a partial success only has attended the recruiting service. The deficiency has been necessarily supplied during the campaign by other than regular troops, with all the inconveniences and expense incident to them. The remedy lies in establishing, more favorably for the private soldier, the proportion between his recompense and the term of his enlistment. And it is a subject which cannot too soon or too seriously be taken into consideration.

The same insufficiency has been experienced in the provisions for volunteers made by an act of the last session. The recompense for the service required in this case is still less attractive than in the other. And although patriotism alone has sent into the field some valuable corps of that description, those alone who can afford the sacrifice can be reasonably expected to yield to that impulse.

It will merit consideration, also, whether, as auxiliary to the security of our frontiers, corps may not be advantageously organized, with a restriction of their services to particular districts convenient to them. And whether the local and occasional services of mariners and others in the seaport towns, under a similar organization, would not be a provident addition to the means of their defence.

I recommend a provision for an increase of the general officers of the army, the deficiency of which has been illustrated by the number and distance of separate commands, which the course of the war and the advantage of the service have required.

And I cannot press too strongly on the earliest attention of the legislature, the importance of the reorganization of the staff establishment, with a view to render more distinct and definite the relations and responsibilities of its several departments. That there is room for improvements which will materially promote both economy and success, in what appertains to the army and the war, is equally inculcated by the examples of other countries, and by the experience of our own.

A revision of the militia laws for the purpose of rendering them more systematic, and better adapting them to emergencies of the war, is at this time particularly desirable.

Of the additional ships authorized to be fitted for service, two will be shortly ready to sail; a third is under repair, and delay will be avoided in the repair of the residue. Of the appropriations for the purchase of materials for ship building, the greater part has been applied to that object, and the purchase will be continued with the balance.

The enterprising spirit which has characterised our naval force, and its success, both in restraining insults and depredations on our coasts, and in reprisals on the enemy, will not fail to recommend an enlargement of it.

There being reason to believe that the act prohibiting the acceptance of British licences is not a sufficient guard against the use of them for purposes favorable to the interests and views of the enemy, farther provisions on that subject are highly important. Nor is it less so, that penal enactments should be provided for cases of corrupt and perfidious intercourse with the enemy, not amounting to treason, nor yet embraced by any statutory provisions.

A considerable number of American vessels which were in England when the revocation of the orders in council took place, were laden with British manufactures, under an erroneous impression that the non-importation act would immediately cease to operate, and have arrived in the United States. It did not appear proper to exercise, on unforeseen cases of such magnitude, the ordinary powers vested in the Treasury Department to mitigate forfeitures, without previously affording to Congress an opportunity of making on the subject such provision as they may think proper. In their decision, they will doubtless equally consult what is due to equitable considerations and to the public interest.

The receipts into the Treasury during the year ending on the 30th of September last, have exceeded sixteen millions and a half of dollars; which have been sufficient



to defray all the demands on the Treasury to that day, including a necessary reimbursement of near three millions of the principal of the public debt. In these receipts is included a sum of near five millions eight hundred and fifty thousand dollars, received on account of the loans authorized by the acts of the last session: the whole sum actually obtained on loan amounts to eleven millions of dollars, the residue of which, being receivable subsequent to the 30th of September last, will, together with the current revenue, enable us to defray all the expenses of this year.

The duties on the late unexpected importations of British manufactures will render the revenue of the ensuing year more productive than could have been anticipated.

The situation of our country, fellow-citizens, is not without its difficulties; though it abounds in animating considerations of which the view here presented of our pecuniary resources is an example. With more than one nation we have serious and unsettled controversies; and with one, powerful in the means and habits of war, we are at war. The spirit and strength of the nation are nevertheless equal to the support of all its rights, and to carry it through all its trials. They can be met in that confidence. Above all, we have the inestimable consolation of knowing that the war in which we are actually engaged, is a war neither of ambition nor of vain glory; that it is waged, not in violation of the rights of others, but in the maintenance of our own; that it was preceded by a patience without example, under wrongs accumulating without end; and that it was finally not declared until every hope of averting it was extinguished, by the transfer of the British sceptre into new hands clinging to former councils; and until declarations were reiterated to the last hour, through the British envoy here, that the hostile edicts against our commercial rights and our maritime independence would not be revoked; nay, that they could not be revoked without violating the obligations of Great Britain to other powers, as well as to her own interests. To have shrunk, under such circumstances, from manly resistance, would have been a degradation blasting our best and proudest hopes; it would have struck us from the high rank where the virtuous struggles of our fathers had placed us, and have betrayed the magnificent legacy which we hold in trust for future generations. It would have acknowledged, that, on the element which forms three-fourths of the globe we inhabit, and where all independent nations have equal and common rights, the American people were not an independent people, but colonists and vassals. It was at this moment, and with such an alternative, that war was chosen. The nation felt the necessity of it, and called for it. The appeal was accordingly made, in a just cause, to the just and all powerful Being who holds in his hand the chain of events, and the destiny of nations. It remains only, that, faithful to ourselves, entangled in no connexions with the views of other powers, and ever ready to accept peace from the hand of justice, we prosecute the war with united counsels and with the ample faculties of the nation, until peace be so obtained, and as the only means, under the Divine blessing, of speedily obtaining it.

JAMES MADISON.

*Washington, November 4, 1812.*

The message and documents therein referred to were read.

On motion, by Mr. Campbell, of Tennessee,

*Ordered*, That twelve hundred and fifty copies thereof be printed for the use of the Senate.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, NOVEMBER 5, 1812.

The resolution authorizing Mountjoy Bayly, Door-keeper and Sergeant-at-Arms to the Senate, to employ one assistant and two horses, was read the second time; and, having been amended,

On the question, Shall this resolution be engrossed and read a third time as amended?

It was determined in the affirmative.

The resolution for the appointment of chaplains was read the second and third time by unanimous consent, and passed, as follows:

*Resolved*, That two chaplains, of different denominations, be appointed to Congress during the present session, one by each House, who shall interchange weekly.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this resolution.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.



FRIDAY, NOVEMBER 6, 1812.

Mr. Campbell, of Tennessee, submitted the following motions for consideration:

*Resolved*, That so much of the message of the President of the United States as concerns our relations with foreign powers, the military establishment of the United States, and volunteers, be referred to a select committee, with leave to report thereon by bill or otherwise.

*Resolved*, That so much of the message of the President of the United States as relates to the naval establishment of the United States, be referred to a select committee, with leave to report thereon by bill or otherwise.

*Resolved*, That so much of the message of the President of the United States as relates to American vessels, which have arrived in the United States laden with British manufactures, be referred to a select committee, with leave to report thereon by bill or otherwise.

*Resolved*, That so much of the message of the President of the United States as relates to a revision of the militia laws of the United States, be referred to a select committee, with leave to report thereon by bill or otherwise.

The resolution authorizing Mountjoy Bayly to employ one assistant and two horses, having been reported by the committee correctly engrossed, was read a third time and passed as follows:

*Resolved*, That Mountjoy Bayly, Door-keeper and Sergeant-at-Arms to the Senate, be, and he is hereby, authorized to employ one assistant and two horses for the purpose of performing such services as are usually required by the Door-keeper of the Senate; which expense shall be paid out of the contingent fund.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

The bill, entitled "An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization," which passed the two Houses at the last session of Congress, having appeared to me liable to abuse by aliens having no real purpose of effectuating a naturalization, and therefore not been signed; and having been presented at an hour too near the close of the session to be returned with objections for reconsideration, the bill failed to become a law. I also recommend that provision be now made in favor of aliens entitled to the contemplated benefit, under such regulations as will prevent advantage being taken of it for improper purposes.

JAMES MADISON.

November 5, 1812.

The message was read.

The following written message was also received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit to Congress copies of the correspondence between the Department of War and the Governors of Massachusetts and Connecticut, referred to in my message of the 4th instant.

JAMES MADISON.

November 6, 1812.

The message and documents therein referred to were read.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the resolution of the Senate, of the 4th instant, for the appointment of a joint committee on the arrangements for the library, and have appointed a committee on their part. They also concur in the resolution of the Senate, of the 5th instant, for the appointment of chaplains. And he withdrew. Whereupon,

The Senate proceeded to the appointment of a chaplain on their part, and the Rev. John Brackenridge was unanimously elected.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, NOVEMBER 9, 1812.

The Honorable William B. Giles, from the state of Virginia, and the Honorable John Smith, from the state of New York, severally attended on the seventh instant, and the Honorable John Condit, of the state of New Jersey, on the 8th.



The President communicated the report of the Secretary for the Department of War, made conformably to the "Act further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," passed the 3d day of March, 1809; and the report was read.

The Senate resumed the consideration of the motion of the 6th instant, "That so much of the message of the President of the United States as concerns our relations with foreign powers, the military establishment of the United States and volunteers, be referred to a select committee with leave to report thereon by bill or otherwise;" and having agreed thereto,

*Ordered*, That Messrs. Franklin, Campbell, of Tennessee, Taylor, Varnum, Howell, Robinson, and Worthington, be the committee.

The Senate resumed the consideration of the following motion:

"That so much of the message of the President of the United States as relates to the naval establishment of the United States, be referred to a select committee, with leave to report thereon by bill or otherwise; and having agreed thereto,

*Ordered*, That Messrs. Smith, of Maryland, Gregg, Tait, Cutts, and Lloyd, be the committee.

The Senate resumed the consideration of the motion submitted on the sixth instant, "That so much of the message of the President of the United States as relates to American vessels which have arrived in the United States laden with British manufactures, be referred to a select committee, with leave to report thereon by bill or otherwise;" and having agreed thereto,

*Ordered*, That Messrs. Gaillard, Goodrich, Campbell, of Ohio, Giles, and Robinson, be the committee.

The Senate also resumed the consideration of the motion of the sixth instant, "That so much of the message of the President of the United States as relates to the revision of the militia laws of the United States, be referred to a select committee, with leave to report thereon by bill or otherwise;" and having agreed thereto.

*Ordered*, That Messrs. Varnum, Smith, of New York, Worthington, Goodrich, and Smith, of Maryland, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have appointed the Rev. Jesse Lee chaplain to Congress, during the present session, on their part. And he withdrew.

Mr. Campbell, of Ohio, asked and obtained leave to bring in a bill to authorize the transportation of a certain message of the President of the United States, and documents accompanying the same;" and the bill was twice read by consent.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, NOVEMBER 10, 1812.

The bill to authorize the transportation of a certain message of the President of the United States and documents accompanying the same, having been reported by the committee correctly engrossed, was read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to authorize the transportation of a certain message of the President of the United States and documents accompanying the same."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the message of the President of the United States, of the 6th July, 1812, and documents accompanying the same, be referred to the committee to whom was referred, the 9th instant, so much of the message of the President of the United States, of the fourth instant, as concerns our relations with foreign powers.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to authorize the transportation of certain documents free of postage," in which bill they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was three times read by consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion, by Mr. Franklin,

The bill which originated in the Senate to authorize the transportation of a certain



message of the President of the United States, and documents accompanying the same, was reconsidered; and

*Ordered*, That it be postponed to the 4th day of March next.

On motion,

*Resolved*, That Mr. Campbell, of Ohio, be of the committee for enrolled bills, jointly with such committee as may be appointed for that purpose on the part of the House of Representatives.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, NOVEMBER 11, 1812.

On motion, by Mr. Varnum,

*Ordered*, That the message of the President of the United States, of the 6th instant, and documents accompanying the same, be referred to the committee who have under consideration so much of the message of the President of the United States, of the 4th instant, as relates to a revision of the militia laws of the United States.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution of the Senate, of the 10th instant, for the appointment of a committee for enrolled bills, and have appointed a committee on their part. And he withdrew.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, NOVEMBER 12, 1812.

The Honorable Philip Reed, from the state of Maryland, took his seat in the Senate. Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act to authorize the transportation of certain documents free of postage."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, NOVEMBER 13, 1812.

Mr. Campbell, of Ohio, reported, from the committee, that they yesterday laid before the President of the United States the enrolled bill, entitled "An act to authorize the transportation of certain documents free of postage."

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

For the further information of Congress relative to the pacific advances made on the part of this government to that of Great Britain, and the manner in which they have been met by the latter, I transmit the sequel of the communications on that subject, received from the late Charge d'Affaires at London.

JAMES MADISON.

November 12, 1812.

The message and documents therein referred to were read.

On motion, by Campbell, of Tennessee,

*Ordered*, That they be referred to the committee to whom was referred so much of the message of the President of the United States, of the fourth instant, as concerns our relations with foreign powers.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That twelve hundred and fifty copies thereof be printed for the use of the Senate.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock on Monday morning.



MONDAY, NOVEMBER 16, 1812.

The Honorable Mr. Anderson, from the state of Tennessee, took his seat in the Senate.

Mr. Leib presented the memorial of sundry merchants of the city of Philadelphia, stating that, in consequence of the revocation of the British orders in council, and the belief that the non-importation act would thereupon cease to be in force, their correspondents in England shipped merchandise to a large amount to the United States; which, having been seized by the officers of the customs as forfeited, was delivered to the claimants on their giving bonds for the value thereof, and the duties thereon; and praying that these bonds may be cancelled, for reasons stated at large in the memorial; which was read.

On motion, by Mr. Leib,

*Ordered*, That it be referred to the committee appointed on the 9th instant, on so much of the message of the President of the United States as relates to American vessels which have arrived in the United States laden with British manufactures, to consider and report thereon.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, NOVEMBER 17, 1812.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act further to prolong the continuance of the mint at Philadelphia;" in which bill they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, NOVEMBER 18, 1812.

The Honorable Allan B. Magruder, appointed a Senator by the legislature of the state of Louisiana, (and who arrived on the 15th,) produced his credentials, which were read; and the oath prescribed by law was administered to him, and he took his seat in the Senate.

The Honorable William Hunter, from the state of Rhode Island and Providence Plantations, and the Honorable James Lloyd, from the state of Massachusetts, severally took their seats in the Senate.

The President communicated the report of the Secretary of the Navy on the expenditures and applications of moneys drawn from the Treasury from the first of October, 1811, to the 30th of September, 1812, inclusive, made in obedience to the 1st section of the act passed March 3d, 1812, entitled "An act to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments;" and the report was read.

On motion, by Mr. Taylor,

*Ordered*, That it be referred to the committee who have under consideration so much of the message of the President of the United States, of the 4th instant, as relates to the naval establishment of the United States.

Mr. Lloyd presented the petition of a large number of the merchants of Boston, who have received goods from Great Britain subsequent to the revocation of the orders in council, praying an exemption from the provisions of the act prohibiting importations from Great Britain, her colonies, or dependencies; and the petition was read.

On motion, by Mr. Lloyd,

*Ordered*, That it be referred to the committee appointed on the 9th instant, on "so much of the message of the President of the United States as relates to American vessels which have arrived in the United States, laden with British manufactures," to consider and report thereon.

Mr. Lloyd presented the petition of Bordman and Pope, of Boston, and others, praying that a cargo of goods imported by them from India, purchased in India prior to a knowledge of the prohibition of importations from Great Britain and her colonies, and imported in a vessel which sailed from the United States antecedently to the passage of the law, which property is now in the custody of the government, may be restored to them, on securing the duties which have accrued thereon; and the petition was read.



On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Lloyd, Taylor, and Tait, be the committee.

The bill entitled "An act further to prolong the continuance of the mint at Philadelphia," was read the second time.

*Ordered*, That it pass to the third reading.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit to Congress copies of a communication from Mr. Russell to the Secretary of State. It is connected with the correspondence accompanying my message of the 12th instant, but had not, at that date, been received.

JAMES MADISON.

November 18, 1812.

The message and documents therein referred to were read.

On motion, by Mr. Campbell, of Tennessee,

*Ordered*, That it be referred to the committee who have under consideration so much of the message of the President of the United States, of the 4th instant, "as concerns our relations with foreign powers."

On motion, by Mr. Varnum,

*Ordered*, That twelve hundred and fifty copies thereof be printed for the use of the Senate.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit to Congress copies of a letter from the Consul General of the United States to Algiers, stating the circumstances preceding and attending his departure from that Regency.

JAMES MADISON.

November 17, 1812.

The message and documents therein referred to were read.

Mr. Campbell, of Tennessee, from the committee on that subject, reported, in part, a bill supplementary to the several acts now in force relative to the military establishment of the United States; and the bill was read.

*Ordered*, That it pass to the second reading.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, NOVEMBER 19, 1812.

The bill, entitled "An act further to prolong the continuance of the mint at Philadelphia," was read the third time.

On the question, Shall this bill pass?

It was determined in the affirmative.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill supplementary to the several acts now in force relative to the military establishment of the United States, was read the second time.

On motion,

The Senate adjourned till 11 o'clock to-morrow morning.

#### FRIDAY, NOVEMBER 20, 1812.

The Honorable Stephen R. Bradley, from the state of Vermont, took his seat in the Senate.

The bill supplementary to the several acts now in force relative to the military establishment of the United States, was resumed as in committee of the whole; and,

On motion, by Mr. Gregg,

*Ordered*, That the further consideration thereof be postponed to, and made the order of the day for, Monday next.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock on Monday morning.



MONDAY, NOVEMBER 23, 1812.

The Honorable John Pope, from the state of Kentucky, took his seat in the Senate.

Mr. Tait presented the petition of sundry merchants of the city of Savannah, in the state of Georgia, who have received goods from Great Britain subsequent to the revocation of the orders in council, which have been seized under the provisions of the act prohibiting importations from Great Britain, her colonies, or dependencies, praying relief; and the petition was read.

On motion, by Mr. Tait,

*Ordered*, That it be referred to the committee appointed on the 9th instant, on "so much of the message of the President of the United States as relates to American vessels which have arrived in the United States laden with British manufactures," to consider and report thereon.

Mr. Smith, of Maryland, presented the memorial of sundry citizens of Baltimore, merchants and owners of private armed commissioned vessels of war, complaining of various grievances under the present regulations, and praying relief; and the memorial was read.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," also, a bill, entitled "An act concerning the pay of non-commissioned officers, musicians, privates, and others, of the army, and for other purposes;" in which bills they request the concurrence of the Senate. And he withdrew.

The two bills last mentioned were read.

*Ordered*, That they severally pass to the second reading.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill supplementary to the several acts now in force relative to the military establishment of the United States; and,

On motion,

*Ordered*, That the consideration thereof be further postponed.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, NOVEMBER 24, 1812.

The bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Lloyd, and Gilman, be the committee.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the memorial of the citizens of Baltimore, owners of private armed commissioned vessels of war, be referred to the committee last mentioned, to consider and report thereon.

Mr. Gaillard presented the petition of David Lamb, merchant, of Charleston, South Carolina, stating that he has received goods from Great Britain subsequent to the revocation of the orders in council, which have been seized under the provisions of the act prohibiting importations from Great Britain, her colonies, or dependencies, and praying relief; and the petition was read.

On motion, by Mr. Gaillard,

*Ordered*, That it be referred to the committee appointed on the 9th instant, on so much of the message of the President of the United States as relates to American vessels which have arrived in the United States, laden with British manufactures," to consider and report thereon.

The bill from the House of Representatives, entitled "An act concerning the pay of the non-commissioned officers, musicians, privates, and others, of the army, and for other purposes," was read the second time.

On motion, by Mr. Campbell, of Tennessee,

*Ordered*, That it be referred to the committee who have under consideration "so much of the message of the President of the United States, of the 4th instant, as concerns our relations with foreign powers," to consider and report thereon.

Mr. Taylor submitted the following motion for consideration:



*Resolved*, That the Senate proceed to ascertain the classes in which the Senators of the state of Louisiana should be inserted, as the constitution and rule heretofore prescribe.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union on an equal footing with the original states;" also, a bill, entitled "An act making an appropriation to defray the expenses incurred, or to be incurred, under an act, entitled 'An act to authorize a detachment from the militia of the United States;' in which bills they request the concurrence of the Senate. And he withdrew.

The two bills last mentioned were read.

*Ordered*, That they severally pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, NOVEMBER 25, 1812.

The bill, entitled "An act making an appropriation to defray the expenses incurred, or to be incurred, under an act, entitled 'An act to authorize a detachment from the militia of the United States,'" was read the second time.

On motion, by Mr. Franklin,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Franklin, Varnum, and Campbell, of Tennessee, be the committee.

The bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union on an equal footing with the original states," was read the second time.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Anderson, Bradley, German, Gregg, and Lloyd, be the committee.

Mr. Campbell, of Tennessee, from the committee to whom was referred the bill from the House of Representatives, entitled "An act concerning the pay of non-commissioned officers, musicians, privates, and others of the army, and for other purposes," reported it with amendments; which were read for consideration.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, NOVEMBER 26, 1812.

The Honorable Richard Brent, from the state of Virginia, attended.

The number of Senators present not being sufficient to constitute a quorum—

On motion,

Adjourned to 11 o'clock to-morrow morning.

### FRIDAY, NOVEMBER 27, 1812.

The Senate resumed the consideration of the motion submitted the 24th instant, that they proceed to ascertain the classes in which the Senators of the state of Louisiana should be inserted, as the constitution and rule heretofore prescribe; and, having agreed thereto,

On motion, by Mr. Taylor,

*Ordered*, That the Secretary roll up, and put into the ballot box, two lots, No. 1 and No. 3; that the Senator for whom lot No. 1 shall be drawn, shall be inserted in the class of Senators whose terms of service expire on the third day of March next; and the Senator for whom lot No. 3 shall be drawn, shall be inserted in the class of Senators whose terms of service expire four years after the third day of March next.

Whereupon,

The numbers above mentioned were by the Secretary rolled up and put into the box, and No. 1 was drawn for the Honorable Allan B. Magruder, who is accordingly in the class of Senators whose terms of service will expire on the third day of March next; and No. 3 was drawn for the Honorable Thomas Posey, who is accordingly in



*Resolved*, That a committee be appointed to inquire, if any, and what, further provisions or alterations are necessary for the disposition of the public lands of the United States; and that they have leave to report by bill or otherwise.



The Senate resumed, as in committee of the whole, the consideration of the bill from the House of Representatives, entitled "An act concerning the pay of the non-commissioned officers, musicians, privates, and others of the army, and for other purposes." And the bill having been amended, the President reported it to the House accordingly.

Accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Franklin submitted the following motion for consideration:

That the Sergeant-at-Arms and Doorkeeper of the Senate be, and he is hereby, directed to take into his possession (subject to the future orders of the Senate,) such materials and furniture belonging to the Senate chamber, and the north wing of the Capitol, as remain on hand; and that he deliver an inventory thereof to the Secretary of the Senate, to be filed in his office.

On motion,

**The Senate adjourned to 11 o'clock to-morrow morning.**

**TUESDAY, DECEMBER 1, 1812.**

The amendments to the bill, entitled "An act concerning the pay of non-commissioned officers, musicians, privates, and others of the army, and for other purposes," having been reported by the committee correctly engrossed, the bill was read a third time.

On the question, Shall this bill pass as amended?

On the question, Shall this bill pass as amended?

It was determined in the affirmative,	{	Yeas . . . . .	19,
		Nays . . . . .	4.

On motion, by Mr. Campbell, of Tennessee,

On motion, by Mr. Campbell, of Tennessee,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Anderson, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts,  
Franklin, Giles, Gilman, Gregg, Horsey, Howell, Leib, Magruder, Robinson, Smith, of  
Maryland, Smith, of New York, Tait, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. Goodrich, Hunter, Lambert, and Lloyd.

So it was

*Resolved*, That this bill do pass with amendments; and,

On motion, by Mr. Campbell, of Tennessee,

The title was amended, to read as follows: "An act supplementary to the several acts now in force, relative to the military establishment of the United States."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The bill to increase the navy of the United States was read the second time.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act making an appropriation to defray the expenses incurred, or to be incurred, under an act, entitled 'An act to authorize a detachment from the militia of the United States;' and,

On motion,

On motion,  
The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 2, 1812.

The Senate resumed the consideration of the motion made on the 30th November; and,

*Resolved*, That a committee be appointed to inquire if any, and what, further provisions or alterations are necessary for the disposition of the public lands of the United States, and that they have leave to report by bill or otherwise.

*Ordered*, That Messrs. Magruder, Worthington, Franklin, Gregg, and Anderson, be the committee.

Mr. Magruder presented a representation of the legislature of the state of Louisiana, on the subject of land titles, and complaining of the conduct and decisions of the commissioners of the land office of the late territory of Orleans; and praying the interposition of Congress; which was read.

On motion, by Mr. Magruder,

On motion, by Mr. Magruder,  
Ordered, That it be referred to the committee last mentioned, to consider and report thereon.

The Senate resumed the consideration of the motion of the 30th November; and



*Resolved*, That the Sergeant-at-Arms and Doorkeeper of the Senate be, and he is hereby, directed to take into his possession (subject to the future orders of the Senate) such materials and furniture belonging to the Senate chamber, and the north wing of the Capitol, as remain on hand; and that he deliver an inventory thereof to the Secretary of the Senate, to be filed in his office.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act making an appropriation to defray expenses incurred, or to be incurred, under an act, entitled 'An act to authorize a detachment from the militia of the United States;'" and the bill having been amended, the President reported it to the Senate accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Campbell, of Ohio, reported, from the committee, that they yesterday laid before the President of the United States the enrolled bill, entitled "An act further to prolong the continuance of the mint at Philadelphia."

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 3, 1812.

The amendments to the bill, entitled "An act making an appropriation to defray expenses incurred, or to be incurred, under an act, entitled 'An act to authorize a detachment from the militia of the United States,'" having been reported by the committee correctly engrossed, the bill was read a third time.

*Resolved*, That this bill pass with amendments.

On motion, by Mr. Campbell, of Tennessee,

It was agreed to amend the title.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate resumed, as in committee of the whole, the consideration of the bill to increase the navy of the United States; and Mr. Bradley was requested to take the chair; and, after debate, the President resumed the chair; and,

On motion,

It was agreed that the further consideration of the bill be postponed to Monday next.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," together with the amendments reported thereto by the select committee; and Mr. Franklin was requested to take the chair; and, after debate,

The President resumed the chair, and Mr. Franklin reported that the committee of the whole had agreed to amend the bill; and,

On motion, by Mr. Anderson,

*Ordered*, That the bill, together with the amendments agreed to, be recommitted to a select committee, to consist of five members, further to consider and report thereon.

*Ordered*, That Messrs. Anderson, Smith, of Maryland, Lloyd, Campbell, of Tennessee, and Taylor, be the committee.

On motion, by Mr. Campbell, of Tennessee,

*Ordered*, That the message of the President of the United States, transmitting copies of a letter from the Consul General of the United States to Algiers, stating that the circumstances preceding and attending his departure from that Regency, be referred to the committee who have under consideration "so much of the message of the President of the United States, of the 4th November, as concerns our relations with foreign powers," to consider and report thereon.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, DECEMBER 4, 1812.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States, on the 2d instant, approved and signed "An act further to prolong the continuance of the mint at Philadelphia." The House of Representatives have passed a bill, entitled "An act concerning the district and territorial judges of the United States;" a bill, entitled "An act to incorporate a fire insurance company in the town of Alexandria, in the District of Columbia;" also, a bill, entitled "An act altering the time and place for holding the circuit and district courts in Vermont;" in which bills they request the concurrence of the Senate. They



agree to the amendments of the Senate to the bill, entitled "An act concerning the pay of non-commissioned officers, musicians, privates, and others, of the army, and for other purposes," with amendments to their amendments; in which they request the concurrence of the Senate. And he withdrew.

On motion,

The Senate proceeded to consider the amendments of the House of Representatives to their amendments to the bill last mentioned; and,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The three bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

After the consideration of Executive business.

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, DECEMBER 7, 1812.

The Honorable Thomas Posey, appointed a Senator, by the Governor of the state of Louisiana, in place of John Destrahan, resigned, produced his credentials, which were read; and the oath prescribed by law was administered to him, and he took his seat in the Senate.

Mr. Giles, from the committee appointed on the subject, reported a bill directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases; and the bill was read.

*Ordered*, That it pass to the second reading.

The President laid before the Senate the report of the Secretary for the Department of the Treasury, prepared in obedience to the act, entitled "An act to establish the Treasury Department;" which, together with the accompanying documents, was read.

*Ordered*, That they be printed for the use of the Senate.

The bill, entitled "An act altering the time and place for holding the circuit and district courts in Vermont," was read the second time.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, German, and Goodrich, be the committee.

The bill, entitled "An act concerning the district and territorial judges of the United States," was read the second time.

The bill, entitled "An act to incorporate a fire insurance company in the town of Alexandria, in the District of Columbia," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the consideration of the bill to increase the navy of the United States be further postponed.

Mr. Magruder submitted the following motion for consideration:

*Resolved*, That a committee be appointed to inquire if any, and what, compensation should be allowed to Lewis Chachere, for his services as translator of the French and Spanish languages to the Board of Land Commissioners, for the western land district in the state of Louisiana; and that they have leave to report by bill or otherwise.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, DECEMBER 8, 1812.

The bill directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases, was read the second time.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be made the order of the day for to-morrow.

The motion made yesterday on the subject was resumed and amended.

Whereupon,

*Resolved*, That the committee appointed on public lands inquire if any, and what, compensation should be made to Louis Chachere for his services as translator of the French and Spanish languages, to the western board of land commissioners, in the state of Louisiana; and that they have leave to report by bill or otherwise.

The Senate resumed, as in committee of the whole, the bill to increase the navy of the United States; and,

On motion,

It was agreed that the consideration thereof be further postponed.



The bill, entitled "An act concerning the district and territorial judges of the United States, was resumed; and,

On motion, by Mr. Campbell, of Tennessee,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Campbell, of Tennessee, Franklin, and Horsey, be the committee.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to incorporate a fire insurance company in the town of Alexandria, in the District of Columbia;" and

Mr. Bradley was requested to take the chair, and no amendments having been reported, the President resumed the chair; and,

On motion, by Mr. Giles,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Giles, Brent, and Anderson, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act making an appropriation to defray expenses incurred, or to be incurred, under an act, entitled "An act to authorize a detachment from the militia of the United States." And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, DECEMBER 9, 1812.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases; and

Mr. Bradley was requested to take the chair, and no amendments having been proposed, the President resumed the chair; and,

On motion, by Mr. Giles,

*Ordered*, That the further consideration of the bill be postponed to, and be made the order of the day for, to-morrow.

On motion, by Mr. Giles,

*Resolved*, That a committee be appointed to inquire into the expediency of offering encouragements at this time to all mariners and seamen to bring within any of the ports of the United States British public and private armed ships, as well as merchant ships or vessels, belonging to the subjects of the United Kingdom of Great Britain and Ireland; and that the committee have leave to report by bill or otherwise.

*Ordered*, That Messrs. Giles, Lloyd, Smith, of Maryland, Tait, and Taylor, be the committee.

On motion, by Mr. Magruder,

*Resolved*, That the committee on public lands inquire if any, and what, compensation should be allowed to John Thompson, for his services as Clerk of the Board of Commissioners for the western land district, in the state of Louisiana; and that they have leave to report by bill or otherwise.

Mr. Howell presented the memorial of James D'Wolf, and others, citizens of the state of Rhode Island, and owners of private armed vessels, complaining of grievances under the present regulations, and praying relief; and the memorial was read.

On motion, by Mr. Howell,

*Ordered*, That it be referred to the committee to whom was recommitted the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," to consider and report thereon.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, DECEMBER 10, 1812.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act making an appropriation to defray expenses incurred, or to be incurred, under an act, entitled "An act to authorize a detachment from the militia of the United States;" also, the bill, entitled "An act increasing the pay of non-commissioned officers, musicians, privates, and others, of the army, and for other purposes."

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill directing the Secretary of the Treasury to remit



finer, forfeitures, and penalties, in certain cases: and Mr. Bradley was requested to take the chair; and, after debate, the President resumed the chair; and,

On motion, by Mr. Bibb,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

Mr. Smith, of Maryland, gave notice that to-morrow he should ask leave to bring in a bill to provide for organizing, arming, and disciplining, the militia of the United States.

Mr. Posey presented the petition of the widow and heirs of Leonard Marbury, deceased, stating that the said Marbury was appointed and commissioned, in the year 1776, to the command of a regiment of cavalry, in the service of the United States; and praying remuneration for advances made by him, in support of his said command, and for pay due to him for his own services. And the petition was read.

On motion, by Mr. Posey,

*Resolved*, That it be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Posey, Bradley, and Tait, be the committee.

After the consideration of Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, DECEMBER 11, 1812.

The Honorable Samuel W. Dana, from the state of Connecticut, attended.

Mr. Varnum presented the memorial of B. W. Crowninshield and others, inhabitants of the town of Salem, in the state of Massachusetts, owners of private armed vessels, praying a revision of the "Act concerning letters of marque, prizes, and prize goods," and a modification thereof: and the memorial was read.

On motion, by Mr. Varnum,

*Ordered*, That it be referred to the committee who have under consideration the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," to consider and report thereon.

The President communicated the memorial of the Legislative Council and House of Representatives of the Mississippi territory, praying an extension of the time of payment for public lands, in the said territory; and the memorial was read.

On motion, by Mr. Magruder,

*Ordered*, That it be referred to the committee, appointed 2d December, on the subject of public lands, to consider and report thereon.

On motion, by Mr. Gregg,

*Resolved*, That the report of the commissioners appointed to ascertain and settle the exterior line of the public land at West Point, with the adjoining proprietor, be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Gregg, German, and Anderson, be the committee.

Mr. Campbell, of Tennessee, from the committee to whom was referred the bill, entitled "An act concerning the district and territorial judges of the United States," reported it without amendment.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the consideration of the bill directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases; and

Mr. Bradley was requested to take the chair; and, after debate, and agreeing to amend the bill, the President resumed the chair; and,

On motion,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States*:

I transmit to Congress copies of a letter to the Secretary of the Navy, from Captain Decatur, of the frigate United States, reporting his combat and capture of the British frigate Macedonian. Too much praise cannot be bestowed on that officer and his



**JAMES MADISON.**

**Ordered, That it pass to the third reading.**







*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day are postponed.

### TUESDAY, DECEMBER 15, 1812.

The bill to increase the navy of the United States, having been reported by the committee correctly engrossed, was read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to increase the navy of the United States."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill, entitled "An act concerning the district and territorial judges of the United States," was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Gregg, from the committee appointed on the subject, reported a bill approving the report of the commissioners, appointed by the Secretary of War, to ascertain and settle the exterior line of the public land at West Point, in the state of New York. And the bill was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," together with the amendments reported thereto by the select committee.

On motion, by Mr. Lloyd,

*Resolved*, That it be recommitted to a select committee, to consist of five members, further to consider and report thereon.

*Ordered*, That Messrs. Anderson, Taylor, Lloyd, Smith, of Maryland, and Campbell, of Tennessee, be the committee.

On request, by Mr. Smith, of Maryland,

Mr. Giles had leave of absence for three weeks from this day.

After the consideration of Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day are postponed.

### WEDNESDAY, DECEMBER 16, 1812.

The bill approving the report of the commissioners, appointed by the Secretary of War, to ascertain and settle the exterior line of the public land at West Point, in the state of New York, was read the second time; and,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Lloyd, from the committee to whom was referred, on the 18th November last, the petition of Bordman and Pope, reported a bill authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope; and the bill was read.

*Ordered*, That it pass to the second reading.

After the consideration of confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day are postponed.

### THURSDAY, DECEMBER 17, 1812.

The bill approving the report of the commissioners appointed by the Secretary of War, to ascertain and settle the exterior line of the public land at West Point, in the state of New York, was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act approving the report of the commissioners appointed by the Secretary of War to ascertain and settle the exterior line of the public land at West Point, in the state of New York."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.



The President communicated a letter from the Commissioner of the General Land Office, together with a report of the commissioners in the western land district of the territory of Orleans, (now state of Louisiana,) of such claims as have not been confirmed by them; and the letter and report were read.

The bill authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope, was read the second time.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 18, 1812.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act concerning the district and territorial judges of the United States."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The President of the United States, on the 12th instant, approved and signed "An act increasing the pay of non-commissioned officers, musicians, privates, and others, of the army, and for other purposes;" also, "An act making an appropriation to defray expenses incurred, or to be incurred, under an act, entitled 'An act to authorize a detachment from the militia of the United States;'" also, the act, entitled "An act for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes, passed the twenty-eighth day of February, one thousand seven hundred and ninety-five." The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the consideration of the bill authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope; and,

On motion, by Mr. Lloyd,

The bill was amended; and,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Anderson, from the committee to whom was referred the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union, on an equal footing with the original states," reported it with amendments.

After the consideration of Executive and confidential business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day are postponed.

MONDAY, DECEMBER 21, 1812.

The bill authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope, having been reported by the committee correctly engrossed, was read a third time.

*Resolved,* That this bill pass, and that the title thereof be "An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

The President communicated a letter from the Governor of the state of New Hampshire, enclosing a copy of the resolution passed by the legislature of that state, ratifying and confirming an amendment proposed to the constitution of the United States relative to titles of nobility; and the letter and resolution were read.

On motion, by Mr. Bradley,

*Resolved,* That the Secretary of the Senate transmit them to the Secretary for the Department of State.



On motion, by Mr. Franklin,

*Ordered*, That the report of the commissioners in the western land district, in the territory of Orleans, (now state of Louisiana,) of such claims as have not been confirmed by them, be referred to the committee appointed 2d instant on the subject of public lands, to consider and report thereon.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the further consideration of the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union on an equal footing with the original states," be postponed to, and made the order of the day for, the first Monday in January next.

Mr. Campbell, of Ohio, reported, from the committee, that, on the 18th instant, they laid before the President of the United States the bill, entitled "An act concerning the district and territorial judges of the United States."

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day are postponed.

### TUESDAY, DECEMBER 22, 1812.

Agreeably to notice, Mr. Smith, of Maryland, obtained leave to bring in a bill to provide for organizing, arming, and disciplining, the militia of the United States; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Anderson, from the committee to whom was recommitted the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," reported it with amendments.

After the consideration of Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day are postponed.

### WEDNESDAY, DECEMBER 23, 1812.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," together with the amendments reported thereto by the select committee; and Mr. Franklin was requested to take the chair; and, after debate,

The President resumed the chair, and Mr. Franklin reported the bill with amendments; and the bill having been further amended,

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Pope submitted the following motion for consideration:

*Resolved*, That a committee be appointed to inquire what provision is necessary and proper to be made for the mounted volunteers, which have been called into the service of the United States, during the present year; and that the committee have leave to report by bill or otherwise.

On motion, by Mr. Anderson,

*Ordered*, That Mr. Dana be of the committee to whom was referred the bill, entitled "An act to incorporate a fire insurance company in the town of Alexandria, in the District of Columbia," in place of Mr. Giles, absent with leave.

The following motion, submitted yesterday, by Mr. Smith, of Maryland, was considered and postponed:

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate any correspondence that may have taken place between the Secretary of War, and the Governor of Tennessee, and Mr. Hawkins, agent near the Creek nation, relative to the murders committed by Indians, within the state of Tennessee.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### THURSDAY, DECEMBER 24, 1812.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill which originated in the Senate, entitled "An act directing the Secretary of the Treasury to remit fines,

forfeitures, and penalties, in certain cases," with amendments; in which they request the concurrence of the Senate. They have also passed the bill which originated in the Senate, entitled "An act to increase the navy of the United States," with an amendment; in which they request the concurrence of the Senate. And he withdrew.

The Senate proceeded to consider the amendment of the House of Representatives to the bill last mentioned.

Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate considered the amendments of the House of Representatives to the bill, entitled "An act directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases."

On motion, by Mr. Bradley,

*Ordered*, That the further consideration thereof be postponed until Monday next.

The President communicated a letter from William Tatham, on the subject of maritime defence, referring to sundry documents enclosed; which were read.

*Ordered*, That they lie on the table.

The amendments to the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," having been reported by the committee correctly engrossed, the bill was read a third time, and the blanks were filled.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the said amendments.

Mr. Bradley presented the petition of the President and Directors of the Bank of Washington, praying an enlargement of their capital, for reasons therein stated; and the petition was read.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Bradley, Anderson, and Gregg, be the committee.

The Senate resumed the consideration of the motion made the 22d instant.

Whereupon,

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate any correspondence that may have taken place between the Secretary of War and the Governor of Tennessee, and Mr. Hawkins, agent near the Creek nation, relative to the murders committed by Indians within the state of Tennessee.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

On motion,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, DECEMBER 28, 1812.

The Senate resumed the consideration of the amendments of the House of Representatives to the bill, entitled "An act directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases;" and,

On motion, by Mr. Bradley,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill to provide for organizing, arming, and disciplining, the militia of the United States, was read the second time.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be referred to the committee appointed the 9th of November, on so much of the message of the President of the United States, as relates to the militia laws of the United States, to consider and report thereon.

The Senate resumed the motion made the 23d instant, respecting the mounted volunteers, which was amended and agreed to, as follows:

*Resolved*, That the committee appointed the 9th November, on so much of the message of the President of the United States as relates to the militia laws, be instructed to inquire what provision is necessary and proper to be made for the mounted volunteers and others, which have been called into the actual service of the United States, during the present year.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.



TUESDAY, DECEMBER 29, 1812.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The President of the United States, on the 12th November last, approved and signed "An act to authorize the transportation of certain documents free of postage;" and, on the 20th instant, "An act concerning the district and territorial judges of the United States."

The House of Representatives have passed a joint "resolution relative to the brilliant achievements of captains Hull, Decatur, and Jones;" in which they request the concurrence of the Senate. And he withdrew.

The resolution last mentioned was read.

*Ordered,* That it pass to the second reading.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined, and found duly enrolled, the bill, entitled "An act directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases;" also, the bill, entitled "An act to increase the navy of the United States."

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

WEDNESDAY, DECEMBER 30, 1812.

The joint resolution, relative to the brilliant achievements of captains Hull, Decatur, and Jones, was read the second time.

On motion, by Mr. Worthington,

*Ordered,* That it be referred to the committee appointed on the 9th of November, on so much of the message of the President of the United States, as relates to the naval establishment thereof.

On motion, by Mr. Franklin,

*Resolved,* That the Secretary of War be directed to lay before the Senate a statement of all the treaties held with the Indian tribes respectively, in which they have ceded lands to the United States, since the 4th day of March, in the year 1789, the amount of purchase, with the annuities, if any there be; also, the amount, (whether in goods or money) expended in carrying such treaties into effect.

On motion, by Mr. Franklin,

*Resolved,* That the Secretary of the Treasury be directed to lay before the Senate a general statement, showing the amount of all the moneys expended in surveying, marking, and designating, the lines and boundaries of the public lands, in each state or territory; also, the amount of moneys paid upon account of the sale of the public lands and collection of the money arising therefrom, and to the several boards of land commissioners, their clerks, and other officers, for ascertaining and adjusting the titles and claims to land in the several states and territories.

On motion, by Mr. Franklin,

*Resolved,* That the Commissioner of the General Land Office be directed to lay before the Senate a statement showing the amount of sales of land, the sums due from each land district, and the moneys actually received up to the close of the last quarter.

On motion, by Mr. Dana,

*Resolved,* That the Secretary of State be directed to lay before the Senate a statement of the number of persons born in foreign countries, who have been legally naturalized in the United States, and registered annually as American seamen, according to returns sent to the Department of State, under the act of the 28th of May, 1796, relative to American seamen.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 31, 1812.

Mr. Magruder, from the committee appointed on the subject of public lands, reported a bill giving further time for registering lands in the eastern district of the territory of Orleans, (now state of Louisiana;) and the bill was read.

*Ordered,* That it pass to the second reading.

The President communicated the report of the Secretary for the Department of the Treasury, made in pursuance of the act of the tenth of April, 1806, entitled "An act regulating the currency of foreign coins in the United States;" and the report was read.

*Ordered*, That it lie on the table.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. I am directed to notify to the Senate the death of John Smilie, late a member of the House of Representatives, from the state of Pennsylvania; and that his remains will be interred this day at two o'clock. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

On motion, by Mr. Gregg,

*Resolved*, That the Senate will attend the funeral of John Smilie, late a member of the House of Representatives, from the state of Pennsylvania, this day at two o'clock; and, as a testimony of respect for the memory of the deceased, they will go into mourning; and wear a black crape round the left arm for thirty days.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, JANUARY 4, 1813.

Mr. Campbell, of Ohio, reported, from the committee, that, on the 2d instant, they laid before the President of the United States the enrolled bill, entitled "An act directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases;" also, the enrolled bill, entitled "An act to increase the navy of the United States."

The President communicated a report, signed James Monroe, acting Secretary for the Department of War, made in obedience to the first section of the act, entitled "An act further to amend the several acts for the establishment of the Treasury, War, and Navy Departments," passed 3d March, 1809; and the report was read.

The bill giving further time for registering claims to land in the eastern district of the territory of Orleans, (now state of Louisiana,) was read the second time.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States;'" a bill, entitled "An act providing navy pensions, in certain cases;" also, a bill, entitled "An act to authorize the President of the United States to establish post routes in certain cases;" in which bills they request the concurrence of the Senate. They have also passed the bill which originated in the Senate, entitled "An act approving the report of the commissioners appointed by the Secretary of War to ascertain and settle the exterior line of the public land at West Point, in the state of New York." And he withdrew.

The three bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States, on the 2d instant, approved and signed "An act to increase the navy of the United States;" also, "An act directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union on an equal footing with the original states," together with the amendments reported thereto by the select committee; and Mr. Gaillard was requested to take the chair; and, after debate,

The President resumed the chair; and,

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States*:

I lay before Congress, for their information, a report of the Director of the Mint.

JAMES MADISON.

January 4, 1813.

The message and report were read.



Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act approving the report of the commissioners appointed by the Secretary of War, to ascertain and settle the exterior line of the public land at West Point, in the state of New York."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Tait communicated "An act declaring the assent of the legislature of the state of Georgia to the formation of one or more state governments in the Mississippi territory," which was read.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, JANUARY 5, 1813.

The credentials of the Honorable John Gaillard, appointed a Senator by the legislature of the state of South Carolina, for six years, commencing on the 4th day of March next, were presented, read, and ordered to lie on file.

Mr. Campbell, of Ohio, reported, from the committee, that they this day laid before the President of the United States the enrolled bill, entitled "An act approving the report of the commissioners appointed by the Secretary of War to ascertain and settle the exterior line of the public land at West Point, in the state of New York."

The President communicated a report of the Commissioner of the General Land Office, made in compliance with a resolution of the Senate, of the 30th December last, showing the amount of lands sold prior to and since the opening of the several land offices, the sums due, and the moneys actually received therefor, up to the close of the last quarter. And the report was read.

Mr. Bradley presented the petition of Reuben Attwater, praying compensation for extra services rendered as secretary of the Michigan territory, and remuneration for losses sustained from depredations of the enemy on his private property, after the surrender of Detroit, in consequence of his having acted as governor; and the petition was read.

On motion, by Mr. Bradley,

*Resolved,* That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered,* That Messrs. Bibb, Worthington, and Franklin, be the committee.

The bill, entitled "An act authorizing the President of the United States to establish post routes in certain cases," was read the second time.

On motion, by Mr. Worthington,

*Resolved,* That it be referred to a select committee, to consider and report thereon.

*Ordered,* That Messrs. Worthington, Franklin, and Gaillard, be the committee.

The bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States,'" was read the second time.

On motion, by Mr. Campbell, of Tennessee,

*Ordered,* That it be referred to the committee appointed the 9th of November last, on so much of the message of the President of the United States as concerns our foreign relations, to consider and report thereon.

The bill, entitled "An act providing for navy pensions, in certain cases," was read the second time.

On motion, by Mr. Franklin,

*Ordered,* That it be referred to the committee appointed on the 9th of November last, on so much of the message of the President of the United States as relates to the naval establishment thereof, to consider and report thereon.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union, on an equal footing with the original states," together with the amendments reported thereto by the select committee; and Mr. Gaillard was requested to take the chair; and, after debate,

(On motion, by Mr. Leib,

*Ordered,* That the further consideration thereof be postponed until to-morrow,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, JANUARY 6, 1813.

The credentials of the Honorable Abner Lacock, appointed a Senator by the legislature of the state of Pennsylvania, for the term of six years, commencing on the 4th day of March next, were read.

*Ordered*, That they lie on file.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union, on an equal footing with the original states," together with the amendments reported thereto by the select committee; and,

On motion, by Mr. Bradley,

*Resolved*, That the bill and amendments be recommitted to a select committee, to consist of five members, to consider and report thereon by bill, bills, or otherwise.

*Ordered*, That Messrs. Bradley, Anderson, Lloyd, Gregg, and German, be the committee.

The following motion was submitted by Mr. Smith, of Maryland, for consideration:

*Resolved*, That the Secretary of War be directed to lay before the Senate a return of the commissioned, non-commissioned officers, musicians, and privates, who have enrolled themselves under the act, entitled "An act authorizing the President of the United States to accept and organize certain volunteer military corps," and the act supplementary thereto, specifying the states wherein such volunteers may have enrolled; and, also, a return of the non-commissioned officers, musicians, and privates, who have enlisted under the act, entitled "An act in addition to the act, entitled "An act to raise an additional military force," passed January 11, 1812.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### THURSDAY, JANUARY 7, 1813.

Mr. Worthington, from the committee to whom was referred the bill, entitled "An act authorizing the President of the United States to establish post routes in certain cases," reported it without amendment.

*Ordered*, That it pass to a third reading.

The Senate resumed the consideration of the motion made yesterday, on the subject of enrolled volunteers, and agreed thereto.

The Senate resumed, as in committee of the whole, the bill giving further time for registering claims to lands in the eastern district of the territory of Orleans, now state of Louisiana; and,

On motion, by Mr. Posey,

*Ordered*, That the further consideration thereof be postponed until Monday next.

Mr. Varnum, from the committee appointed 9th November, to consider the subject, reported, in part, a bill supplementary to an act, entitled "An act to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes;" and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Posey, from the committee to whom was referred, on the 10th of December, the petition of the widow and heirs of Leonard Marbury, deceased, reported that it lie on the table. And the report was agreed to.

Mr. Cutts communicated instructions from the legislature of the state of New Hampshire, on increasing the pay of the militia when called into the service of the United States; which were read.

Mr. Campbell, of Tennessee, from the committee to whom was referred the bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States,'" reported it with an amendment.

On motion, by Mr. Gregg,

*Resolved*, That the Secretary for the Department of Navy be directed to lay before the Senate, any correspondence that may have taken place between him and Captain



Chauncey and Lieutenant Elliott, relative to the capture and subsequent disposition of the British armed brigs *Detroit* and *Caledonia*, on the 8th of October, 1812.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### FRIDAY, JANUARY 8, 1813.

The bill supplementary to an act, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," was read the second time.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President:* The President of the United States, on the 5th instant, approved and signed "An act approving the report of the commissioners appointed by the Secretary of War to ascertain and settle the exterior line of the public land at West Point, in the state of New York."

*Ordered,* That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States,' together with the amendments reported thereto by the select committee; and Mr. Gaillard was requested to take the chair; and, having agreed to an amendment, the President resumed the chair; and,

On motion, by Mr. Smith, of Maryland,

*Ordered,* That the further consideration thereof be postponed to, and be made the order of the day for, Monday next.

The bill, entitled "An act authorizing the President of the United States to establish post routes in certain cases," was read a third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act for the relief of John Binnion," in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered,* That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, JANUARY 11, 1813.

The Honorable James A. Bayard, from the state of Delaware, arrived on the 9th instant, and attended this day.

Mr. Bradley, from the committee to whom was recommitted the bill from the House of Representatives, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union, on an equal footing with the original states," together with the amendments thereto, reported, in part, a bill to carry into effect the report made to Congress, in February 1803, by James Madison, then Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, commissioners appointed in pursuance of the act, entitled "An act for the amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory, in obedience to the provisions of the act supplemental to the last mentioned act;" and the bill was read.

*Ordered,* That it pass to the second reading.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act providing navy pensions in certain cases," reported it amended.

The President communicated a report of the Secretary for the Department of State, made in conformity with their resolution of the 30th December, on the number of persons born in foreign countries, who have been legally naturalized in the United States, and registered annually as American seamen; and the report was read.

The President also communicated a report of the Secretary for the Department of Treasury, made in conformity with the 6th section of the act passed on the first of May, 1810, entitled "An act fixing the compensation of public ministers and consuls, residing on the coast of Barbary, and for other purposes;" and the report was read.

The bill, entitled "An act for the relief of John Binnion," was read the second time.

On motion, by Mr. Franklin,

*Ordered*, That it be referred to the committee appointed the 2d December, on the subject of public lands, to consider and report thereon.

Mr. German presented the petition of William Nexsen, jr. of the city of New York, an insolvent debtor, imprisoned at the suit of the United States, praying to be discharged; and the petition was read.

On motion, by Mr. German,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. German, Gregg, and Goodrich, be the committee.

Mr. Smith, of Maryland, presented the memorial of John Worthington, and others, representing Oliver Evans as acting oppressively under his patent, for making and vending to be used his invention and improvement in the art of manufacturing flour and meal, and stating testimony in support of the facts alleged, and praying Congress again to take the subject into consideration and grant relief; and the memorial and testimony were read.

On motion,

*Ordered*, That the testimony be printed for the use of the Senate.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That the memorial be referred to a select committee, to consist of five members, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Bayard, Smith, of Maryland, Taylor, Gregg, and Campbell, of Ohio, be the committee.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit to Congress an account of the contingent expenses of the government, for the year one thousand eight hundred and twelve.

JAMES MADISON.

January 11, 1813.

The message and account therein referred to were read.

The following written message was also received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of War, complying with their resolution of the 24th December last.

JAMES MADISON.

January 11, 1813.

The message and report therein referred to were read.

The Senate resumed, as in committee of the whole, the consideration of the bill giving further time for registering claims to lands in the eastern district of the territory of Orleans, now state of Louisiana.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States;'" and Mr. Gaillard was requested to take the chair.

On motion, by Mr. Smith, of Maryland, to strike out the first and second sections of the bill, which provides one additional major to each regiment, and one additional third lieutenant to each company or troop:

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 15, \\ \text{Nays} \dots\dots\dots 18. \end{array} \right.$

On motion, by Mr. Gilman,

The yeas and nays having been required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Campbell, of Ohio, German, Gilman, Goodrich, Gregg, Horsey, Lambert, Leib, Lloyd, Pope, Reed, Smith, of Maryland, and Varnum.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Campbell, of Tennessee, Crawford, Cutts, Dana, Franklin, Gaillard, Howell, Hunter, Magruder, Posey, Robinson, Smith, of New York, Tait, Taylor, Turner, and Worthington.



On motion.

**TUESDAY, JANUARY 12, 1813.**

On motion, by Mr. Gregg,

*Ordered*, That Messrs. Gregg, Posey, and Smith, of New York, be the committee.

On motion,

On motion, by Mr. Lloyd,

It was determined in the affirmative,

{ Yeas . . . . .	17,
{ Nays . . . . .	15.

On motion, by Mr. Robinson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Campbell, of Ohio, Crawford, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Leib, Lloyd, Pope, Smith, of New York, Tait, Taylor, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Campbell, of Tennessee, Cutts, Dana, Franklin, Gaillard, German, Howell, Magruder, Posey, Reed, Robinson, Smith, of Maryland, and Varnum.

On motion, by Mr. Lloyd,

To insert, in lieu of the words last stricken out, the following words: "an advance of twenty-four dollars, on account of his pay, in addition to the existing bounty; one-

half of such advance to be paid at the enlistment of the recruit, and the other half when he shall be mustered and have joined some military corps of the United States for service:"

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 22,} \\ \text{Nays . . . . . 11.} \end{array} \right.$

On motion, by Mr. Varnum,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bibb, Bradley, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Leib, Lloyd, Pope, Reed, Smith, of New York, Tait, Taylor, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. Anderson, Dana, Franklin, Gaillard, German, Howell, Magruder, Posey, Robinson, Smith, of Maryland, and Varnum.

On motion, by Mr. Varnum,

To strike out the first and second sections of the bill,

A division of the question was called for by Mr. Leib, and the question was taken on striking out the first section, which provides one additional major to each regiment:

And determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 15,} \\ \text{Nays . . . . . 16.} \end{array} \right.$

On motion, by Mr. Varnum,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Campbell, of Ohio, German, Gilman, Goodrich, Gregg, Horsey, Lambert, Leib, Lloyd, Pope, Reed, Smith, of Maryland, and Varnum.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Howell, Hunter, Magruder, Posey, Robinson, Smith, of New York, Tait, Taylor, and Turner.

On the question to strike out the second section, which provides one additional third lieutenant to each company or troop:

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 15,} \\ \text{Nays . . . . . 17.} \end{array} \right.$

On motion, by Mr. Varnum,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Campbell, of Ohio, German, Gilman, Goodrich, Gregg, Horsey, Lambert, Leib, Lloyd, Pope, Reed, Smith, of Maryland, and Varnum.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Howell, Hunter, Magruder, Posey, Robinson, Smith, of New York, Tait, Taylor, Turner, and Worthington.

On motion, by Mr. Leib,

It was agreed to strike out the words "five dollars," being the allowance to the officers on recruiting service, and that it should stand blank, section 5, line 4; and, after debate,

On motion, by Mr. Robinson,

It was agreed to fill the blank with the words "four dollars."

And the reported amendments having been agreed to,

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 23,} \\ \text{Nays . . . . . 8.} \end{array} \right.$

On motion, by Mr. Varnum,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bibb, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, German, Gregg, Howell, Leib, Magruder, Posey, Reed, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. Gilman, Goodrich, Horsey, Hunter, Lambert, Lloyd, Pope, and Varnum.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.



WEDNESDAY, JANUARY 13, 1813.

The President communicated the report of the Secretary acting for the Department of War, made in obedience to the first section of the act, entitled "An act further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," passed the 3d day of March, 1809; and the report was read.

Mr. Magruder, from the committee appointed to consider the subject of public lands, reported a bill for the relief of Lewis Chacherie; and the bill was read.

*Ordered*, That it pass to the second reading.

The amendments to the bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States,'" were reported by the committee correctly engrossed; and the bill was read a third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate resumed, as in committee of the whole, the consideration of the bill supplementary to an act, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes;" and Mr. Bradley was requested to take the chair; and

The bill having been amended, the President resumed the chair; and,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for navy pensions in certain cases," together with the amendments reported thereto by the select committee; and having agreed to the amendments,

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the consideration of the bill to carry into effect the report made to Congress in February, 1803, by James Madison, then Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, commissioners, appointed in pursuance of the act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory, in obedience to the provisions of the act supplemental to the last mentioned act."

Mr. Anderson was requested to take the chair; and the bill was amended, and the President resumed the chair.

On motion, by Mr. Bibb,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States*:

I transmit to the Senate copies of the correspondence called for by their resolution of the 7th instant.

JAMES MADISON.

January 13, 1813.

The message and papers therein referred to were read.

On motion, by Mr. Gregg,

*Ordered*, That they be referred to the committee appointed the 9th November, on so much of the message of the President of the United States as relates to the naval establishment, to consider and report thereon.

The following written message was also received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States*:

At the request of the General Assembly of Maryland, communicated by the Governor of that state, I lay before Congress copies of their act passed on the 2d instant.

JAMES MADISON.

January 13, 1813.

The message and act therein referred to were read.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### THURSDAY, JANUARY 14, 1813.

Mr. Campbell, of Ohio, reported, from the committee, that they this day laid before the President of the United States the enrolled bill, entitled "An act authorizing the President of the United States to establish post routes in certain cases."

The amendments to the bill, entitled "An act providing for navy pensions in certain cases," were reported by the committee correctly engrossed; and the bill was read a third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The bill supplementary to the act, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; and to repeal the act now in force for those purposes," was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act supplementary to an act, entitled 'An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and to repel invasions; and to repeal the act now in force for those purposes.'"

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Leib presented the memorial of the managers of the Bible Society of Philadelphia, stating that, to enable them to promote the object of the institution, the gratuitous distribution of the sacred Scriptures, they had ordered, in the year 1809, a set of stereotype plates from England, and praying that these plates may be exonerated from the additional duties since imposed on British manufactures; and the memorial was read.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Leib, Robinson, and Gregg, be the committee.

The bill for the relief Lewis Chacherie, was read the second time.

On motion, by Mr. Magruder,

*Ordered*, That it be recommitted to the committee appointed the 2d of December, on the subject of public lands, further to consider and report thereon.

The Senate resumed, as in committee of the whole, the consideration of the bill to carry into effect the report made to Congress in February 1803, by James Madison, then Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, commissioners, appointed in pursuance of the act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory, in obedience to the provisions of the act supplemental to the last mentioned act;" and Mr. Anderson was requested to take the chair; and, after debate, the President resumed the chair; and Mr. Anderson reported the bill amended.

On motion, by Mr. Franklin,

It was agreed to take the question, Shall this bill be engrossed and read a third time as amended? by yeas and nays.

On motion, by Mr. Bibb,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

After the consideration of confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### FRIDAY, JANUARY 15, 1813.

On motion, by Mr. Leib,

*Resolved*, That the letter signed William Duane, communicated the 12th instant, on the subject of military tactics, be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Leib, Smith, of Maryland, and Anderson, be the committee.



On motion, by Mr. Bayard,

*Resolved*, That the message of the President of the United States, of the 13th instant, with the act of the General Assembly of the state of Maryland, therein communicated, be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bayard, Gregg, and Bibb, be the committee.

Mr. Smith, of Maryland, presented the memorial of the minority of the House of Representatives of the General Assembly of the Mississippi territory, on their application for admission into the Union, on a footing with the original states, and praying Congress to defer the passing any law for that purpose, until their population shall amount to sixty thousand free persons, as is stated at large in the memorial; which was read.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be referred to the committee to whom was re-committed, on the 6th instant, the bill from the House of Representatives, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union, on an equal footing with the original states," to consider and report thereon.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,' in which bill they request the concurrence of the Senate. They concur in the amendments of the Senate to the bill, entitled "An act providing navy pensions in certain cases;" and they do not concur in the amendments of the Senate to the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods," and ask a conference on the subject, and have appointed managers on their part. And he withdrew.

The bill last brought up for concurrence was read.

On motion, by Mr. Campbell, of Tennessee,

That it now be read a second time,

It was objected to, as against the rule.

*Ordered*, That it pass to the second reading.

The Senate resumed the consideration of the bill to carry into effect the report made to Congress in February, 1803, by James Madison, then Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, commissioners, appointed in pursuance of the act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory, in obedience to the provisions of the act, supplemental to the last mentioned act."

On motion, by Mr. Goodrich,

*Ordered*, That the further consideration thereof be postponed until Monday next.

Mr. Leib, from the committee appointed to consider the subject, reported a bill for the relief of the Bible Society of Philadelphia; and the bill was read.

*Ordered*, That it pass to the second reading.

The Senate proceeded to consider the amendments disagreed to by the House of Representatives to the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods;" and,

On motion, by Mr. Smith, of Maryland,

*Resolved*, That they insist on their amendments, and agree to the conference asked by the House of Representatives thereon.

*Ordered*, That Messrs. Smith, of Maryland, Anderson, and Taylor, be the managers on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Horsey submitted the following motion for consideration:

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate the French decree, purporting to be a definitive repeal of the Berlin and Milan decrees, referred to in his message of the 4th November last; and, also, any correspondence or information, touching the relations of the United States with France, in the office of the Department of State, not heretofore communicated, which, in the opinion of the President, is not incompatible with the public interest to communicate.

After the consideration of the Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

**SATURDAY, JANUARY 16, 1813.**

The bill, entitled "An act in addition to the act, entitled "An act to raise an additional military force, and for other purposes," was read the second time.

On motion, by Mr. Franklin,

*Ordered*, That it be referred to the committee appointed the 9th of November, on so much of the message of the President of the United States as concerns our foreign relations, the military establishment, and volunteers.

The bill for the relief of the Bible Society of Philadelphia was read the second time.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States.'" They have passed a bill, entitled "An act making certain partial appropriations for the year 1813;" in which bill they request the concurrence of the Senate. And he withdrew.

On motion, by Mr. Smith, of Maryland,

The bill last mentioned was twice read, by unanimous consent.

*Ordered, That it pass to a third reading.*

The President communicated the report of the Postmaster General, relative to public contracts; also, on the salaries allowed to the clerks of that department, during the year 1812; and the reports were severally read.

After the consideration of confidential business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

MONDAY, JANUARY 18, 1813.

Mr. Magruder, from the committee to whom was referred the bill, entitled "An act for the relief of John Binnion," reported it without amendment.

Ordered, That it pass to a third reading.

The Senate resumed the consideration of the bill to carry into effect the report made to Congress in February, 1803, by James Madison, then Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, commissioners, appointed in pursuance of the act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory, in obedience to the provisions of the act supplemental to the last mentioned act." And the bill was further amended.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative, { Yeas . . . . . 16,  
Nays . . . . . 11.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bibb, Bradley, Brent, Cutts, Goodrich, Horsey, Howell, Hunter, Lambert, Pope, Posey, Robinson, Smith, of New York, Taylor, and Varnum.

Those who voted in the negative, are,

Those who voted in the negative, are,  
Messrs. Anderson, Campbell, of Ohio, Crawford, Franklin, Gaillard, Leib, Magruder,  
Reed, Tait, Turner, and Worthington.

Mr. Campbell, of Tennessee, from the committee to whom was referred the bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" reported it without amendment.

The bill for the relief of the Bible Society of Philadelphia was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of the Bible Society of Philadelphia."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill, entitled "An act making certain partial appropriations for the year one thousand eight hundred and thirteen," was read a third time.

*Resolved, That this bill pass.*

*Resolved*, That this bill pass.  
*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate resumed the consideration of the motion made the 15th instant, which was amended and agreed to, as follows:



*Resolved*, That the President of the United States be requested to cause to be laid before the Senate the French decree, purporting to be a definitive repeal of the Berlin and Milan decrees, referred to in his message of the 4th November last, together with such information as he may possess, concerning the time and manner of promulgating the same; and, also, any correspondence or information touching the relations of the United States with France, in the office of the Department of State, not heretofore communicated, which, in the opinion of the President of the United States, is not incompatible with the public interest to communicate.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act for the relief of Jared Shattuck," in which bill they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

After the consideration of confidential and Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### TUESDAY, JANUARY 19, 1813.

The President communicated a letter from the Governor of the state of Ohio, enclosing the declaration and resolves of the General Assembly of that state, approbatory of the measures of the administration in regard to the war with England, and pledging themselves and their constituents to aid in its prosecution.

The bill, entitled "An act for the relief of Jared Shattuck," was read the second time.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Tait, and Varnum, be the committee.

Mr. Lloyd submitted the following motion for consideration:

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate an account of the sale or disposition of three millions one hundred and eighty thousand dollars of Treasury notes, subscribed for by various banks, as stated in the annual report of the Secretary of the Treasury, with the time and terms of sale to such banks respectively; and the state of their several accounts with the Treasury Department, from the time of such sale or subscription, to the first day of the present month of January.

The bill, entitled "An act for the relief of John Binnion," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act confirming certain claims to lands in the district of Vincennes;" in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The President communicated a letter from the Commissioner of the General Land Office, transmitting a report of the commissioners appointed conformably to "An act to ascertain the western boundary of the district reserved for satisfying the military bounties allowed to the officers and soldiers of the Virginia line on continental establishment;" and the letter and report were read.

The bill to carry into effect the report made to Congress, in February, one thousand eight hundred and three, by James Madison, then Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, commissioners, appointed in pursuance of the act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory, in obedience to the provisions of the act supplemental to the last mentioned act," was reported by the committee correctly engrossed, and read a third time.

On the question, Shall this bill pass?

It was determined in the affirmative,	{ Yeas . . . . . 16,
	{ Nays . . . . . 9.

On motion, by Mr. Taylor,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,  
Messrs. Bayard, Bradley, Dana, German, Goodrich, Horsey, Howell, Hunter, Lambert, Pope, Posey, Robinson, Smith, of Maryland, Smith, of New York, Taylor, and Varnum.

Those who voted in the negative, are,  
Messrs. Campbell, of Tennessee, Crawford, Franklin, Leib, Magruder, Reed, Tait, Turner, and Worthington.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act to carry into effect the report made to Congress in February, 1803, by James Madison, then Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, commissioners, appointed in pursuance of the act, entitled 'An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory, in obedience to the provisions of the act supplemental to the last mentioned act.'"

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States;' the bill, entitled "An act providing for navy pensions in certain cases;" also, the bill, entitled "An act making certain partial appropriations for the year 1813."

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the further consideration of the bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force,' and for other purposes," be postponed to, and made the order of the day for, to-morrow.

After the consideration of Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, JANUARY 20, 1813.

The bill, entitled "An act confirming certain claims to lands in the district of Vincennes," was read the second time.

On motion, by Mr. Magruder,

*Ordered*, That it be referred to the committee appointed the 2d of December, on the subject of public lands, to consider and report thereon.

Mr. Turner, in pursuance of instructions from the legislature of the state of North Carolina, submitted the following motion for consideration; which was read, and

*Ordered*, That it pass to the second reading:

*"Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring therein*, That the following amendment to the constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the said states, shall be valid, to all intents and purposes, as a part of the said constitution:

"That, for the purpose of choosing representatives in the Congress of the United States, each state shall, by its legislature, be divided into a number of districts, equal to the number of representatives to which such state may be entitled.

"Those districts shall be formed of contiguous territory, and contain, as nearly as may be, an equal number of inhabitants, entitled by the constitution to be represented; in each district the qualified voters shall elect one representative, and no more.

"That, for the purpose of appointing electors of President and Vice President of the United States, each state shall, by its legislature, be divided into a number of districts, equal to the number of electors to which such state may be entitled: those districts shall be composed of contiguous territory, and contain, as nearly as may be, an equal number of inhabitants, entitled by the constitution to representation. In each district the persons qualified to vote for representatives shall appoint one elector and no more. The electors, when convened, shall have power, in case one or more of those appointed as above prescribed shall fail to attend for the purposes of their said appointment on the day prescribed for giving their votes for President and Vice President of the United States, to appoint another or others to act in the place of him or them so failing to attend.

"Neither the districts for choosing representatives, nor those for appointing electors, shall be altered in any state, until a census and apportionment of representatives under it, made subsequent to the division of the state into districts, shall change



the number of representatives and of electors to which such state may be entitled. The division of the states into districts hereby provided for shall take place immediately after this amendment shall be adopted and ratified as a part of the constitution of the United States, and successively afterwards, whenever by a census and apportionment of representatives and of electors to which any state may be entitled, shall be changed; the division of such state into districts, for the purposes both of choosing representatives and of appointing electors, shall be altered agreeably to the provisions of this amendment, and on no other occasion."

On motion, by Mr. Worthington,

*Resolved*, That the letter from the Commissioner of the General Land Office, communicated yesterday, together with the report of the commissioners appointed conformably to "An act to ascertain the western boundary of the district reserved for satisfying the military bounties allowed to the officers and soldiers of the Virginia line on continental establishment," be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Varnum, Howell, Anderson, Brent, and Leib, be the committee.

Mr. German presented the petition of John Redfield, junior, of the city of New York, an insolvent debtor, imprisoned at the suit of the United States, praying to be discharged; and the petition was read.

On motion, by Mr. Smith, of New York,

*Ordered*, That it be referred to the committee who have under consideration the petition of William Nixen, junior, to consider and report thereon by bill or otherwise.

The Senate resumed the consideration of the motion made yesterday in relation to Treasury notes, subscribed for by the various banks; and agreed thereto.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" and Mr. Anderson was requested to take the chair; and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### THURSDAY, JANUARY 21, 1813.

The motion made yesterday to amend the constitution of the United States on the mode of electing representatives and electors, was read the second time.

On motion, by Mr. Turner,

*Resolved*, That it be referred to a select committee, to consist of seven members, to consider and report thereon.

*Ordered*, That Messrs. Turner, Lloyd, Bayard, Goodrich, Giles, Pope, and Tait, be the committee.

Mr. Smith, of Maryland, from the committee to whom was referred the joint resolution relative to the brilliant achievements of Captains Hull, Decatur, and Jones, reported it with an amendment.

Mr. Tait gave notice that to-morrow he should ask leave to bring in a bill to revive and continue in force "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States, on the 14th instant, approved and signed "An act authorizing the President of the United States to establish post routes in certain cases."

The House of Representatives have passed the bill which originated in the Senate, entitled "An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope, with amendments; in which they request the

*Mr. President:* The House of Representatives recede from their disagreement to the amendments of the Senate to the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods." They have passed a bill, entitled



"An act for the relief of John Dixon and John Murray," in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" and Mr. Anderson was requested to take the chair.

On motion, by Mr. German,

To insert, in lieu of the words stricken out, the words "five years:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 15, \\ \text{Nays} \dots\dots\dots 20. \end{array} \right.$

On motion, by Mr. German,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, German, Giles, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Leib, Lloyd, Pope, Reed, and Smith, of Maryland.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Brent, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Dana, Franklin, Gaillard, Howell, Magruder, Posey, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

On motion, by Mr. Smith, of Maryland,

To fill the blank with the words "three years:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 15, \\ \text{Nays} \dots\dots\dots 20. \end{array} \right.$

On motion, by Mr. Smith, of Maryland,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, German, Giles, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Leib, Lloyd, Pope, Reed, and Smith, of Maryland.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Brent, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Dana, Franklin, Gaillard, Howell, Magruder, Posey, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

On motion, by Mr. Campbell, of Ohio,

To fill the blank with the words "eighteen months:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 11, \\ \text{Nays} \dots\dots\dots 24. \end{array} \right.$

On motion, by Mr. Campbell, of Ohio,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Campbell, of Ohio, Crawford, Gaillard, Gilman, Gregg, Horsey, Howell, Leib, and Pope.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Brent, Campbell, of Tennessee, Cutts, Dana, Franklin, German, Giles, Goodrich, Hunter, Lambert, Lloyd, Magruder, Posey, Reed, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

On motion, by Mr. Smith, of Maryland,

To strike out the 4th section of the bill, which provides that the officers, other than field officers, shall be appointed by the President, without the advice and consent of the Senate; and,

On his motion,

It was agreed to take the question by yeas and nays; and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### SATURDAY, JANUARY 23, 1813.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I transmit, for the information of Congress, copies of a correspondence between John

I transmit, for the like purpose, copies of a letter from Commodore Rodgers to the Secretary of the Navy.

JAMES MADISON

**JAMES MADISON.**

The message and documents therein referred to were read.

The President communicated the memorial of a number of citizens of the Mississippi territory, praying all proceedings in Congress relative to the admission of said territory into the Union as an independent state, may for the present be postponed, for reasons stated at large in the memorial; which was read.

*Ordered*, That it be referred to the committee to whom was recommitted, on the 6th instant, the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union, on an equal footing with the original states," to consider and report thereon.

The bill to revive and continue in force "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th day of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's," was read the second time.

On motion, by Mr. Tall,  
*Resolved*, That it be referred to a select committee, to consider and report thereon.

The bill, entitled "An act giving a right of pre-emption in the purchase of lands to certain settlers in the Illinois territory," was read the second time.

*Resolved*, That it be referred to a select committee, to consider and report thereon.

The bill, entitled "An act for the relief of John Dixon and John Murray," was read the second time.

The motion made yesterday to strike out the 4th section of the bill was withdrawn; and, after debate,

On motion, by Mr. Pope,

On motion, by Mr. Pope,  
To strike out, in section 1, the following words: "as in the opinion of the President  
may be necessary:"

On motion, by Mr. Pope,

Those who voted in the affirmative, are,

Those who voted in the negative, are,

On motion, by Mr. Leib,

On motion, by Mr. Leib,  
That the Senate concur in the amendment made in committee of the whole, to wit:  
to strike out of section 1, lines 6 and 7, the words "one year:"

On motion, by Mr. Franklin,

On motion, by Mr. FRANKLIN,  
The yeas and nays having been required by one-fifth of the Senators present,



On the question, Shall this bill pass as amended?

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 20, \\ \text{Nays} \dots\dots\dots 14. \end{array} \right.$

On motion, by Mr. Campbell, of Tennessee,

The yeas and nays having been required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bibb, Brent, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Howell, Magruder, Posey, Reed, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Dana, Giles, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Leib, Lloyd, Pope, and Smith, of Maryland.

So it was

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Agreeably to notice given, Mr. Giles asked leave to bring in a bill to alter the bounty authorized by law to the recruits hereafter to be enlisted for the army of the United States; and,

On the question, That leave be given:

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 11, \\ \text{Nays} \dots\dots\dots 20. \end{array} \right.$

On motion, by Mr. Giles,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bibb, Franklin, Gaillard, Giles, Howell, Leib, Posey, Reed, Robinson, Smith, of Maryland, and Varnum.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Gilman, Goodrich, Horsey, Hunter, Lambert, Lloyd, Magruder, Pope, Smith, of New York, Tait, Taylor, Turner, and Worthington.

Mr. Bayard presented the petition of Alexander Phoenix, of the city of New York, an insolvent debtor, imprisoned at the suit of the United States, praying to be discharged; and the petition was read.

On motion, by Mr. Bayard,

*Ordered*, That it be referred to the committee who have under consideration the petition of William Nixsen, jun. to consider and report thereon by bill or otherwise.

After the consideration of confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, JANUARY 26, 1813.

Mr. Tait, from the committee to whom was referred, on the 23d instant, the bill to revive and continue in force "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th day of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's," reported it amended.

Mr. Bayard gave notice that to-morrow he should ask leave to bring in a bill to increase the salary of the district judge of the district of Delaware.

The Senate resumed the consideration of the joint resolution relative to the brilliant achievements of Captains Hull, Decatur, and Jones, together with the amendment reported thereto by the select committee; and having agreed to the amendment:

On the question, Shall this resolution be read a third time as amended?

It was determined in the affirmative.

The Senate resumed the consideration of the bill, entitled "An act for the relief of John Dixon and John Murray;" and,

On motion, by Mr. Bayard,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bayard, Smith, of Maryland, and Franklin, be the committee.

The President communicated a letter from the Secretary for the Department of the Treasury, transmitting a statement of the moneys expended during the year 1812, for the discharge of miscellaneous claims, not otherwise provided for; and a statement of the contracts made during that year, by or under the direction of the Secretary of the Treasury. And the letter and accompanying documents were read.



Mr. Bradley, from the committee to whom was referred the bill, entitled "An act for the relief of Jared Shattuck," reported it without amendment.

The bill for the relief of Lewis Chacherie was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of Lewis Chacherie."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope;" the bill, entitled "An act in addition to the act concerning letters of marque, prizes, and prize goods;" also, the bill, entitled "An act for the relief of John Binnion."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States, on the 20th instant, approved and signed "An act making certain partial appropriations for the year 1813;" "An act providing navy pensions in certain cases;" also, "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States.'" The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes;" they have passed the bill which originated in the Senate, entitled "An act supplementary to an act, entitled 'An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes,'" with amendments; in which they request the concurrence of the Senate. The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The amendment to the joint resolution relative to the brilliant achievements of Captains Hull, Decatur, and Jones, having been reported by the committee correctly engrossed, the resolution was read a third time as amended; and the title thereof was amended, to read as follows: "A resolution relative to the brilliant achievements of Captains Hull, Decatur, Jones, and Lieutenant Elliott."

*Resolved*, That this resolution pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act for the relief of Jared Shattuck."

And, after debate, and the consideration of Executive and confidential business,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, JANUARY 27, 1813.

Mr. Campbell, of Ohio, reported, from the committee, that they this day laid before the President of the United States the three enrolled bills yesterday reported to have been examined.

The Senate resumed the consideration of the amendments of the House of Representatives to the bill, entitled "An act supplementary to an act, entitled 'An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes;" and,

*Resolved*, That they be referred to the committee appointed the 9th of November last, on so much of the message of the President of the United States as relates to a revision of the militia laws, to consider and report thereon.

A message from the House of Representatives, by Mr. Magruder their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the resolution relative to the brilliant achievements of Captains Hull, Decatur, and Jones. They have passed a bill, entitled "An act authorizing a loan for a sum not exceeding sixteen millions of dollars;" a bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813;" also, a bill, entitled "An act re-

Mr. Brent presented the memorial of William Gamble, praying compensation for services rendered the United States in the revenue department; and the memorial was read.



On motion, by Mr. Brent,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Brent, Bibb, and Bradley, be the committee.

On motion, by Mr. Dana,

*Resolved*, That the Secretary of State be directed to lay before the Senate a statement of the whole number of seamen annually registered under the act of the 28th of May, 1796, entitled "An act for the relief and protection of American seamen;" distinguishing the number so registered in each year, according to returns made to the Department of State by collectors of different ports.

The bill to increase the salary of the district judge of the Delaware district was read the second time.

On motion, by Mr. Bayard,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bayard, Bibb, and Hunter, be the committee.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes;' also, the joint resolution relative to the brilliant achievements of Captains Hull, Decatur, Jones, and Lieutenant Elliott.

Mr. Bibb, from the committee to whom was referred the petition of Reuben Attwater, made report; he also asked and obtained leave to bring in a bill for the relief of Reuben Attwater, which was read; and,

*Ordered*, That it pass to the second reading.

The bill, entitled "An act authorizing a loan for a sum not exceeding sixteen millions of dollars," was read the second time.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Anderson, Bayard, Franklin, Bibb, and Tait, be the committee.

The bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813," was read the second time.

On motion, by Mr. Taylor,

*Resolved*, That it be referred to the committee last mentioned, to consider and report thereon.

The bill, entitled "An act regulating pensions to persons on board private armed ships," was read the second time.

The bill, entitled "An act for the relief of Jared Shattuck," was read the third time.

On motion, by Mr. Taylor,

To postpone the further consideration thereof until the first Monday in December next,

It was determined in the negative,	{ Yeas . . . . .	14,
	{ Nays . . . . .	19.

On motion, by Mr. Robinson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bibb, Campbell, of Ohio, Crawford, Cutts, Franklin, Gaillard, Howell, Leib, Lloyd, Tait, Taylor, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Campbell, of Tennessee, Dana, German, Giles, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Magruder, Pope, Posey, Reed, Robinson, Smith, of Maryland, and Smith, of New York.

On the question, Shall this bill pass?

It was determined in the affirmative,	{ Yeas . . . . .	19,
	{ Nays . . . . .	15.

On motion, by Mr. Varnum,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Campbell, of Tennessee, Dana, German, Giles, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Magruder, Pope, Posey, Reed, Robinson, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Campbell, of Ohio, Crawford, Cutts, Franklin, Gaillard, Howell, Leib, Lloyd, Tait, Taylor, Turner, Varnum, and Worthington.

So it was

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Leib presented the memorial of Richard Dodd, and Elijah Bryan, now of Philadelphia, praying to be relieved from the penalty of a bond given by them on the importation of certain goods, subsequent to the repeal of the British orders in council; and the memorial was read.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Leib, Bradley, and Goodrich, be the committee.

Mr. Leib also presented the memorial of William Compton, of a similar nature to that last mentioned; which was read; and,

*Ordered*, To be referred to the same committee, to consider and report thereon.

Mr. Smith, of Maryland, submitted the following motion for consideration:

*Resolved*, That the Secretary of the Treasury be directed to report to the Senate a statement of the specific articles, the produce and manufacture of the United States, exported to the dominions of Spain, for the year ending on the 30th day of September, 1812, if practicable; if not, then for the year ending on the 30th day of September, 1811, with the value thereof.

The Senate resumed, as in committee of the whole, the consideration of the bill to revive and continue in force "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th day of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's;" and Mr. Varnum was requested to take the chair; and the bill having been amended, the President resumed the chair; and,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

After the consideration of Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### FRIDAY, JANUARY 29, 1813.

The bill to revive and continue in force "An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th day of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's," was reported by the committee correctly engrossed, and read a third time.

On the question, Shall this bill pass?

It was determined in the affirmative.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Varnum, from the committee, to whom was referred the amendments to the bill, entitled "An act supplementary to an act, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," made report.

Whereupon,

*Resolved*, That the Senate concur in the said amendments.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill and an enrolled resolution, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill and joint resolution yesterday reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill for the relief of Washington Lee was read the second time.

The bill for the relief of Reuben Attwater was read the second time.

The Senate resumed the consideration of the motion made yesterday on the subject of exports to Spain.

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory," together with the amendment reported thereto by the select committee; and Mr. Bradley was requested to take the chair:

And the amendment having been agreed to, the President resumed the chair; and

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.



Mr. Leib, from the committee to whom the subject was referred, reported a bill for the further relief of Charles Minifie; which was read.

*Ordered*, That it pass to the second reading.

Mr. German, from the committee to whom the subject was referred on the 11th instant, asked and obtained leave to bring in a bill for the relief of John Redfield, junior; which was read; and

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act regulating pensions to persons on board private armed ships;" and Mr. Franklin was requested to take the chair.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to the committee appointed, the 9th November last, "on so much of the message of the President of the United States as relates to the naval establishment," to consider and report thereon.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States, on the 27th instant, approved and signed "An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

After the consideration of Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### SATURDAY, JANUARY 30, 1813.

The bill for the further relief of Charles Minifie was read the second time.

The bill for the relief of John Redfield, junior, was read the second time.

The motion made on the 28th instant, on the subject of exports to Spain, was resumed and agreed to.

The Senate resumed, as in committee of the whole, the bill for the relief of Washington Lee; and Mr. Bradley was requested to take the chair; and no amendment having been agreed to, the President resumed the chair.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the consideration of the bill for the relief of Reuben Attwater; and Mr. Gaillard was requested to take the chair; and, no amendment having been agreed to, the President resumed the chair.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Campbell, of Ohio, reported, from the committee, that, on the 28th instant, they laid before the President of the United States the enrolled bill, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes;'" also, the joint resolution relative to the brilliant achievements of Captains Hull, Decatur, Jones, and Lieutenant Elliott.

The amendment to the bill, entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory," having been reported by the committee correctly engrossed, the bill was read the third time.

On the question, Shall this bill pass as amended?

It was determined in the affirmative.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Magruder, from the committee appointed the 2d December last, on the subject of public lands, reported a bill giving further time to the purchasers of public lands northwest of the river Ohio to complete their payments; which was read; and

*Ordered*, That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States approved and signed, on the 27th instant, "An act for the relief of John Binnion;" also, "An act in addition to the act concerning letters of marque, prizes, and prize goods;" and, on the 29th instant, "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes;'" also, a joint resolution relative to the brilliant achievements of Captains Hull, Decatur, Jones, and Lieutenant Elliott.

The House of Representatives concur in the bill, entitled "An act for the relief of the Bible Society of Philadelphia;" they have passed a bill, entitled "An act for the relief of Royal Converse," in which they ask the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That it pass to the second reading.

Mr. Bayard, from the committee to whom was referred the bill increasing the salary of the district judge of the Delaware district, reported it amended.

Mr. Leib, from the committee to whom the subject was referred, reported a bill establishing the discipline of the army of the United States, and for other purposes; which was read.

*Ordered*, That it pass to the second reading.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, FEBRUARY 1, 1813.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act supplementary to an act, entitled 'An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; and to repeal the act now in force for those purposes,'" the bill, entitled "An act for the relief of Jared Shattuck;" also, the bill, entitled "An act for the relief of the Bible Society of Philadelphia."

The bill giving further time to the purchasers of public land northwest of the river Ohio to complete their payments, was read the second time.

The President communicated the memorial of Peter Charles L'Enfant, late a principal engineer and major in the Revolutionary army of the United States, together with statements explaining his services in planning the city of Washington, and supervising the public buildings, and praying compensation; and the memorial was read.

The President also communicated the report of James Monroe, acting Secretary for the Department of War, made conformably to a resolution of the Senate, of the 28th January, shewing the balance due to the state of Maryland on a purchase of arms made by that state from the United States; and the report was read.

The bill, entitled "An act for the relief of Royal Converce," was read the second time.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Howell, and Smith, of New York, be the committee.

The bill establishing the discipline of the army of the United States, and for other purposes, was read the second time.

The bill for the relief of Washington Lee was reported by the committee correctly engrossed, and read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of Washington Lee."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill for the relief of Reuben Attwater was also reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of Reuben Attwater."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in committee of the whole, the consideration of the bill for the further relief of Charles Minifie; and Mr. Varnum was requested to take the chair.

On motion, by Mr. Anderson,

*Ordered*, That the further consideration thereof be postponed until to-morrow,

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory."

They have passed a bill supplementary to "An act making provision for arming and disciplining the whole body of the militia of the United States, and for classing the same;" in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That it pass to the second reading.



*Resolved*, That, for the benefit of seamen and shipping of the United States, it is proper to establish a system of navigation according to the following principles:

"1. No trading ships or vessels shall be recognized as bearing the flag of the United States in full right, unless known to be registered or enrolled or licensed and officered and manned as may be required by law.

"2. Registered ships or vessels, which may be cleared for foreign voyages, shall have American officers and employ American mariners for such navigation, wholly, or in some proportion not less than a majority of the crew in any case; otherwise, they shall not by law enjoy the privileges of merchant vessels of the United States.

"3. Vessels enrolled and licensed for coasting or fishing shall not continue to enjoy the privileges allowed by law for encouraging the coasting trade and fisheries of the United States, unless the whole, or at least the majority, of the mariners employed on board the same, as well as the masters or skippers, respectively, shall be American citizens by birth or regular adoption.

"4. The mode of proving the citizenship of mariners or apprentices, duly shipped or serving on board such private vessels, shall be directed by law, so that the same may be entitled to credit within the United States.

"5. All American mariners and apprentices, so proved, and belonging to the crew of a merchant vessel of the United States, bound on any foreign voyage permitted by law, shall be comprehended and described in an official document, or sea paper, authenticated for the use of the vessel during the voyage: and, on the vessel's return and arrival within a district of the United States, the production of such document, as well as the vessel's register, or satisfactory proof of its loss, and a specification of the officers and crew, as well as a return of passengers on board, with proof of having continued to employ American seamen, according to law, shall be requisite for enjoying the exemptions and privileges of the navigation of the United States in relation to duties, imposts, charges, or regulations of trade. Documentary evidence of a like nature shall be furnished for enrolled vessels in the coasting trade or fisheries. But, no collector shall be permitted to continue the practice of delivering to individual mariners separate certificates of citizenship, for personal disposal at pleasure, without designation of voyage or vessel."

After the consideration of confidential business, the Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, FEBRUARY 3, 1813.

Mr. Magruder, from the committee to whom was referred the bill, entitled "An act confirming certain claims to lands in the district of Vincennes," reported it without amendment.

The bill vesting in the President of the United States the power of retaliation in the cases therein specified, was read the second time.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act authorizing a loan for a sum not exceeding sixteen millions of dollars;" and Mr. Varnum was requested to take the chair.

Mr. Lloyd moved to amend the bill; and the President having resumed the chair,

On motion, by Mr. Anderson,

It was agreed that the further consideration of the bill be postponed to, and made the order of the day for, to-morrow.

Mr. Bayard, from the committee to whom was referred the bill, entitled "An act for the relief of John Dixon and John Murray," reported it without amendment.

Mr. Lloyd presented the petition of Obediah Rich, praying that leave may be granted him to import a certain quantity of goods from England, for reasons stated at large in the petition; which was read.

On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Lloyd, Bibb, and Anderson, be the committee.

On motion, by Mr. Bibb,

*Resolved*, That the memorial of John Tayloe and others, presented the 23d January, praying the incorporation of a Bank in the city of Washington, be referred to a select committee, to consist of five members, to consider and report thereon, by bill or otherwise.

*Ordered*, That Messrs. Bibb, Bayard, Leib, Cutts, and Franklin, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act authorizing an increase of the capital stock of the Bank of Washington;" a bill, entitled "An act to impose a duty on the importation of iron wire;" also, a bill, entitled



"An act giving further time to purchasers of public lands to complete their payments;" in which bills they request the concurrence of the Senate. And he withdrew.

After the consideration of confidential and Executive business, the Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### THURSDAY, FEBRUARY 4, 1813.

The three bills yesterday brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

The President communicated a report from the Secretary for the Department of Treasury, exhibiting the sums respectively paid to each clerk, in the several offices of that Department, for services rendered in the year 1812; made in obedience to the provisions of the act of April 21st, 1806, "to regulate and fix the compensation of clerks;" and the report was read.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act authorizing a loan for a sum not exceeding sixteen millions of dollars;" and Mr. Varnum was requested to take the chair; and

On the question to agree to the amendment proposed yesterday by Mr. Lloyd, to wit: "at the end of the 1st section, add the following proviso: That the stock to be created by virtue of this act shall not bear a greater rate of interest than six per centum, per annum, and that it shall not be sold at a rate below par:"

On motion, by Mr. Bradley,

To amend the proposed amendment, by striking out the word "six:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 3, \\ \text{Nays} \dots\dots\dots 25. \end{array} \right.$

On motion, by Mr. Magruder,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Campbell, of Tennessee, and Pope.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Crawford, Cutts, Franklin, Gaillard, Gilman, Goodrich, Gregg, Horsey, Howell, Hunter, Lambert, Lloyd, Magruder, Posey, Reed, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

On the question to agree to the original motion,

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 10, \\ \text{Nays} \dots\dots\dots 22. \end{array} \right.$

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, German, Gilman, Goodrich, Horsey, Hunter, Lambert, Lloyd, Pope, and Reed.

Those who voted in the negative, are,

Messrs. Anderson, Bibb, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Dana, Franklin, Gaillard, Giles, Gregg, Howell, Magruder, Posey, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

And no amendment having been agreed to, the President resumed the chair; and,

On the question, Shall this bill be read a third time?

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 24, \\ \text{Nays} \dots\dots\dots 7. \end{array} \right.$

On motion, by Mr. Dana,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bibb, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Giles, Gregg, Howell, Magruder, Pope, Posey, Reed, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Dana, German, Gilman, Goodrich, Horsey, Hunter, and Lloyd.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

The Honorable James Brown, appointed a Senator by the legislature of the state of Louisiana, in the place of the Honorable John Noel Detrehan, resigned, produced his credentials, which were read; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

*Ordered*, That there be printed for the use of the Senate copies of the following correspondence, as communicated with a report from the Department of State, dated the 27th of February, 1798, and among the public papers in the office of the Secretary of the Senate, viz: Duplicate from Mr. King, minister plenipotentiary of the United States at London, to Mr. Pickering, Secretary of State, dated December 10th, 1796, communicating a letter of the 3d November, 1796, to Mr. King, signed Grenville, and a circular letter of the 18th November, 1796, to consuls of the United States, signed Rufus King; also, a letter of the 28th January, 1797, from Mr. King to Lord Grenville, and a letter in answer, dated Downing Street, March 27th, 1797.

Mr. Campbell, of Ohio, reported from the committee that they had examined and found duly enrolled the bill, entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory."

The bill vesting in the President of the United States the power of retaliation in the cases therein specified, was read the second time.

The bill, entitled "An act authorizing an increase of the capital stock of the Bank of Washington," was read the second time,

The bill, entitled "An act giving further time to purchasers of public lands to complete their payments," was read the second time.

*Ordered*, That it be referred to the committee appointed on the 2d December, on the subject of public lands, to consider and report thereon.

The bill, entitled "An act to impose a duty on the importation of iron wire," was read the second time.

*Resolved*, That it be referred to a select committee, to consider and report thereon.

**Ordered,** That Messrs. Lloyd, Smith, of Maryland, and Taylor, be the committee.

The President communicated a letter from the Secretary for the Department of Treasury, with a statement of the exports to the dominions of Spain, for the year ending on the 30th day of September, 1812, prepared in conformity with the resolution of the Senate of the 30th of January last; which were read.

**Ordered,** That they be printed for the use of the Senate.

The Senate resumed, as in committee of the whole, the bill, entitled "An act confirming certain claims to lands in the district of Vincennes;" and Mr. Gaillard was requested to take the chair; and, no amendment having been agreed to, the President resumed the chair; and

**Ordered, That the bill pass to a third reading.**

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

On motion,  
It was agreed that the propositions submitted on the 2d instant, on the subjects of American ships and seamen, be made the order of the day for Monday next.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act regulating pensions to persons on board private armed ships;" and Mr. Varnum was requested to take the chair; and, no amendment having been agreed to, the President resumed the chair.

**Ordered,** That the bill pass to a third reading.

The bill from the House of Representatives, entitled "An act authorizing a loan for a sum not exceeding sixteen millions of dollars," was read a third time.

On the question, Shall this bill pass?

On the question, Shall this bill pass:  
It was determined in the affirmative,

{ Yeas . . . . .	22,
{ Nays . . . . .	9.

On motion, by Mr. Bibb,



The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bibb, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Giles, Gregg, Howell, Magruder, Reed, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Bradley, Dana, German, Gilman, Goodrich, Horsey, Hunter, Lambert, and Lloyd.

So it was

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill for the relief of John Redfield, jr. was resumed, as in committee of the whole, and Mr. Varnum was requested to take the chair; and, no amendment having been agreed to, the President resumed the chair; and,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill increasing the salary of the district judge of the Delaware district, together with the amendments reported thereto by the select committee; and, having agreed to the amendments, the President resumed the chair; and Mr. Varnum reported the bill amended.

On the question, Will the Senate concur in the amendments made in committee of the whole? as follows:

Strike out, from the word "that," at the end of the second line, to the end of the bill, and, in lieu thereof, insert: "In addition to the respective salaries at present allowed and paid, that, from and after the first day of April next, there shall be allowed annually to the district judge of the Massachusetts district, the sum of two hundred dollars; to the district judge of the Rhode Island district, four hundred dollars; to the district judge of the Pennsylvania district, two hundred dollars; to the district judge of the Delaware district, four hundred dollars; and to the district judge of the North Carolina district, three hundred dollars; to be paid quarter yearly, out of any moneys in the Treasury, not otherwise appropriated:"

Change the title—"A bill to increase the salaries of certain district judges:"

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 18, \\ \text{Nays} \dots\dots\dots 14. \end{array} \right.$

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bibb, Crawford, Franklin, Giles, Gregg, Horsey, Howell, Hunter, Lloyd, Magruder, Pope, Reed, Smith, of Maryland, Tait, Taylor, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Brown, Campbell, of Ohio, Campbell, of Tennessee, Cutts, Gaillard, German, Goodrich, Lambert, Leib, Robinson, Smith, of New York, and Varnum.

On motion, by Mr. Campbell, of Ohio,

To amend the bill, by inserting the following words: "to the district judge of the Ohio district, two hundred dollars:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 8, \\ \text{Nays} \dots\dots\dots 24. \end{array} \right.$

On motion, by Mr. Campbell, of Ohio,

The yeas and nays having been required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bibb, Campbell, of Ohio, Howell, Pope, Smith, of Maryland, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Bradley, Brown, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, German, Giles, Goodrich, Gregg, Horsey, Hunter, Lambert, Leib, Lloyd, Magruder, Reed, Robinson, Smith, of New York, Tait, Taylor, and Varnum.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

After the consideration of the confidential business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

MONDAY, FEBRUARY 8, 1813.

The bill for the relief of John Redfield, junior, was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of John Redfield, junior."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill increasing the salary of the district judge of the Delaware district was reported by the committee correctly engrossed, and read a third time as amended.

*Resolved*, That this bill pass, and that the title thereof be "An act to increase the salaries of certain district judges."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion, by Mr. Gaillard,

*Resolved*, That a committee be appointed, to join such committee as may be appointed by the House of Representatives, to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election.

*Ordered*, That Messrs. Gaillard and Smith, of New York, be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Campbell, of Ohio, reported, from the committee, that, on the 5th instant, they laid before the President of the United States the enrolled bill, entitled "An act giving the right of pre-emption, in the purchase of public lands, to certain settlers in the Illinois territory;" and that they had examined and found duly enrolled the bill, entitled "An act authorizing a loan for a sum not exceeding sixteen millions of dollars."

The President communicated a report of the Commissioners of the Sinking Fund, stating that the measures which have been authorized by the board, subsequent to their last report, of the 5th of February, 1812, so far as the same have been completed, are fully detailed in the report of the Secretary of the Treasury to the board, dated the 5th day of the present month, and in the statements therein referred to, which are herewith transmitted, and prayed to be received as part of this report; and the report was read.

The bill, entitled "An act confirming certain claims to lands in the district of Vincennes," was read a third time.

*Resolved*, That the bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act regulating pensions to persons on board private armed ships," was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. The House of Representatives have passed a bill, entitled "An act altering the time for holding the district court in the district of Maine;" in which bill they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Agreeably to the order of the day, the Senate resumed the consideration of the propositions submitted on the 2d instant, on the subjects of American ships and seamen; and having agreed thereto,

On motion, by Mr. Dana,

*Resolved*, That they be referred to a select committee, to consist of five members, to consider and report thereon by bill, bills, or otherwise.

*Ordered*, That Messrs. Dana, Smith, of Maryland, Lloyd, Taylor, and Bibb, be the committee.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States, on the 2d instant, approved and signed "An act for the relief of the Bible Society of Philadelphia;" also, "An act supplementary to an act, entitled 'An act to provide for calling forth the militia to exe-



ecute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes."

Mr. Leib presented the petition of Margaret Arundel, widow of Robert Arundel, late a sailing master in the navy, stating that her late husband was severely wounded in an engagement with the enemy on the lakes, and was afterwards knocked overboard and drowned, leaving his family destitute, and praying relief; and the petition was read.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Leib, Gregg, and Reed, be the committee.

Mr. Turner, from the committee to whom was referred the resolution proposing an amendment to the constitution of the United States, respecting the mode of electing Representatives to Congress, and electors of President and Vice President of the United States, reported it amended.

Mr. Anderson, from the committee to whom was referred the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813," reported it with amendments; and,

On his motion,

It was agreed that they be the order of the day for to-morrow.

On motion, by Mr. Worthington,

*Ordered*, That the consideration of the bill giving further time to the purchasers of public lands northwest of the river Ohio to complete their payments, be postponed to Wednesday next.

On motion, by Mr. Leib,

It was agreed that the bill establishing the discipline of the army of the United States, and for other purposes, be made the order of the day for to-morrow.

On motion, by Mr. Campbell, of Tennessee,

*Ordered*, That the bill vesting in the President of the United States the power of retaliation in the cases therein specified, be made the order of the day for to-morrow.

On motion, by Mr. Gregg,

*Ordered*, That the bill, entitled "An act authorizing an increase of the capital stock of the Bank of Washington," be referred to the committee to whom the petition of the said Bank was referred on the 24th of December last, to consider and report thereon.

After the consideration of confidential and Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, FEBRUARY 9, 1813.

The credentials of the Honorable Chauncy Goodrich, appointed a Senator by the legislature of the state of Connecticut, for the term of six years, commencing on the 4th day of March next, were read.

*Ordered*, That they lie on file.

Mr. Campbell, of Ohio, reported, from the committee, that they yesterday laid before the President of the United States the enrolled bill, entitled "An act authorizing a loan for a sum not exceeding sixteen millions of dollars."

The bill, entitled "An act altering the time for holding the district court in the district of Maine," was read the second time.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year one thousand eight hundred and thirteen," together with the amendments reported thereto by the select committee; and Mr. Varnum was requested to take the chair; and, after debate, the President resumed the chair; and,

On motion,

*Ordered*, That the further consideration of the bill be postponed until Thursday next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution of the Senate for the appointment of a joint committee to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election; and have appointed a committee on their part. And he withdrew.

The President communicated the report of the Secretary for the Department of War, in compliance with the fifth section of the act to regulate and fix the compensa-

tion of clerks, passed April 21st, 1806, exhibiting the names of the clerks employed in that Department in the year 1812, with the sums allowed to each clerk; also, his report comprehending contracts made by him in the year 1812, and those made by the late Purveyor of Public Supplies and the Commissary General of Purchases, at Philadelphia, in the same year, in compliance with the act concerning public contracts, passed April 21st, 1808; and the reports were read.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill establishing the discipline of the army of the United States, and for other purposes; and Mr. Gregg was requested to take the chair; and, after debate, the President having resumed the chair,

On motion,

It was agreed that the further consideration of the bill be postponed to, and made the order of the day for, Thursday next.

Mr. Lloyd, from the committee appointed thereon, reported the bill from the House of Representatives, entitled "An act to impose a duty on the importation of iron wire," without amendment.

Mr. Gaillard, from the joint committee appointed on the 8th instant, to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election, reported, in part, the following resolution; which was read and agreed to:

*Resolved*, That the two Houses shall assemble in the Chamber of the House of Representatives on Wednesday next, at 12 o'clock; that one person be appointed a teller on the part of the Senate, to make a list of the votes as they shall be declared; that the result shall be delivered to the President of the Senate, who shall announce the state of the vote, and the persons elected, to the two Houses, assembled as aforesaid, which shall be deemed a declaration of the persons elected President and Vice President; and, together with a list of the votes, be entered on the journals of the two Houses.

On motion,

*Ordered*, That Mr. Gaillard be appointed a teller of the ballots, on the part of the Senate, agreeably to the foregoing resolution.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill vesting in the President of the United States the power of retaliation in the cases therein specified; and Mr. Varnum was requested to take the chair; and, after debate, the President resumed the chair; and,

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the further consideration of the bill be postponed to, and made the order of the day for, Thursday next.

After the consideration of confidential and Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, FEBRUARY 10, 1813.

Mr. German, from the committee to whom the several petitions were referred, reported a bill for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nixsen, jun.; and the bill was read.

*Ordered*, That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States, on the 2d instant, approved and signed "An act for the relief of Jared Shattuck;" on the 5th, "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory;" and, on the 8th instant, "An act authorizing a loan for a sum not exceeding sixteen millions of dollars." The House of Representatives do not concur in the bill which originated in the Senate, entitled "An act to increase the salaries of certain district judges." They agree to the report of the joint committee appointed to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election, and have appointed Messrs. Macon and Tallmadge, tellers, on their part. And he withdrew.

On motion,

*Ordered*, That Mr. Franklin be appointed a teller of the ballots for President and Vice President of the United States, on the part of the Senate, in place of Mr. Gaillard, absent from indisposition.



*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives is now ready to attend the Senate in opening the certificates and counting the votes of the electors of the several states, in the choice of a President and Vice President of the United States, in pursuance of the resolution of the two Houses of Congress. I am also directed to inform the Senate that the President of the Senate will be introduced to the Speaker's chair, by the Speaker of the House of Representatives. And he withdrew.

The two Houses of Congress, agreeably to the joint resolution, assembled in the Representatives' Chamber, and the certificates of the electors of the several states, were, by the President of the Senate, opened and delivered to the tellers appointed for the purpose, who, having examined and ascertained the number of votes, presented a list thereof to the President of the Senate, which was read, as follows:

THE STATE OF							PRESIDENT.		VICE PRESIDENT.	
							James Madison.	De Witt Clinton.	Elbridge Gerry.	Jared Ingersoll.
New Hampshire	-	-	-	-	-	-	-	8	1	7
Massachusetts	-	-	-	-	-	-	-	22	2	20
Rhode Island	-	-	-	-	-	-	-	4	-	4
Connecticut	-	-	-	-	-	-	-	9	-	9
Vermont	-	-	-	-	-	-	8	-	8	-
New York	-	-	-	-	-	-	-	29	-	29
New Jersey	-	-	-	-	-	-	-	8	-	8
Pennsylvania	-	-	-	-	-	-	25	-	25	-
Delaware	-	-	-	-	-	-	-	4	-	4
Maryland	-	-	-	-	-	-	6	5	6	5
Virginia	-	-	-	-	-	-	25	-	25	-
North Carolina	-	-	-	-	-	-	15	-	15	-
South Carolina	-	-	-	-	-	-	11	-	11	-
Georgia	-	-	-	-	-	-	8	-	8	-
Kentucky	-	-	-	-	-	-	12	-	12	-
Tennessee	-	-	-	-	-	-	8	-	8	-
Ohio	-	-	-	-	-	-	7	-	7	-
Louisiana	-	-	-	-	-	-	3	-	3	-
							128	89	131	86

The whole number of votes being 217, of which 109 make a majority; James Madison had for President of the United States 128 votes, and Elbridge Gerry had for Vice President of the United States 131 votes:

Whereupon,

The President of the Senate declared JAMES MADISON elected President of the United States, for four years, commencing with the fourth day of March next; and ELBRIDGE GERRY, Vice President of the United States, for four years, commencing on the fourth day of March next.

The votes of the electors were then delivered to the Secretary of the Senate; the two Houses of Congress separated, and the Senate returned to their own chamber; and,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

THURSDAY, FEBRUARY 11, 1813.

The bill for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nixsen, jun., was read the second time.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year one thousand eight hundred and thirteen," together with the amendments reported thereto by the select committee; and Mr. Bradley was requested to take the chair; and, having agreed to the amendments, the President resumed the chair; and,

On motion,

*Ordered*, That the further consideration of the bill be postponed to, and made the order of the day for, to-morrow.

On motion, by Mr. Smith, of New-York,

*Resolved*, That a committee be appointed, to join such committee as may be appointed by the House of Representatives, to wait on the President of the United States and to notify to him his re-election to the office of President of the United States.

*Ordered*, That Messrs. Smith, of New York, and Franklin, be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion, by Mr. Franklin,

*Resolved*, That the President of the United States be requested to cause to be transmitted to Elbridge Gerry, Esq. of Massachusetts, Vice President elect of the United States, notification of his election to that office, and that the President of the Senate do make and sign a certificate, in the words following, to wit:

"*Be it known*, That the Senate and House of Representatives of the United States of America, being convened at the City of Washington, on the second Wednesday of February, in the year of our Lord one thousand eight hundred and thirteen, the undersigned President of the Senate, pro tempore, did, in the presence of the said Senate and House of Representatives, open all the certificates and count all the votes of the electors for a President and Vice President of the United States: whereupon, it appeared that James Madison, of Virginia, had a majority of the votes of the electors as President, and Elbridge Gerry, of Massachusetts, had a majority of the votes of the electors as Vice President; by all which it appears that James Madison, of Virginia, has been duly elected President, and Elbridge Gerry, of Massachusetts, has been duly elected Vice President of the United States, agreeably to the constitution.

"In witness whereof, I have herewith set my hand and caused the seal of the Senate to be affixed, this — day of February, 1813."

And that the President of the Senate do cause the certificate aforesaid to be laid before the President of the United States, with this resolution.

Agreeably to the order of the day, the Senate resumed the consideration of the bill establishing the discipline of the army of the United States, and for other purposes; and Mr. Gregg was requested to take the chair.

On motion, by Mr. Leib,

To amend the bill, by inserting, section 1, line 5, after the word "army," the words "and of the militia," thereby extending the provisions of the bill to the militia as well as army:

It was determined in the affirmative,	{ Yeas . . . . . 14,
	{ Nays . . . . . 9.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Campbell, of Tennessee, Crawford, Cutts, Franklin, Giles, Gregg, Howell, Hunter, Leib, Smith, of Maryland, Tait, Taylor, Turner, and Worthington.

Those who voted in the negative, are,

Messrs. German, Gilman, Goodrich, Horsey, Lambert, Lloyd, Reed, Smith, of New York, and Varnum.

And the bill having been amended, the President resumed the chair; and, after debate,

On motion, by Mr. Franklin,

*Ordered*, That the further consideration of the bill be postponed until Monday next.

Mr. Campbell, of Tennessee, submitted the following motion for consideration:

*Resolved*, That the Secretary for the Department of War be, and hereby is, directed to prepare and report to the Senate such system of military discipline for the



army and militia of the United States as may be approved by him, and which, in his opinion, ought to receive the sanction of law.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill vesting in the President of the United States the power of retaliation in the cases therein specified; and Mr. Varnum was requested to take the chair; and, after debate, the President resumed the chair; and,

On motion, by Mr. Bibb,

*Ordered*, That the further consideration of the bill be postponed to, and made the order of the day for, to-morrow.

On motion,

*Ordered*, That the bill giving further time to purchasers of public lands northwest of the river Ohio to complete their payments, be postponed to Monday next.

After the consideration of confidential business,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### FRIDAY, FEBRUARY 12, 1813.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act regulating pensions to persons on board private armed ships;" also, the bill, entitled "An act confirming certain claims to lands in the district of Vincennes."

On motion, by Mr. Turner,

*Ordered*, That the resolution proposing an amendment to the constitution of the United States respecting the mode of electing representatives to Congress and electors of President and Vice President of the United States, be made the order of the day for Monday next.

Agreeably to the order of the day, the Senate resumed the consideration of the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813;" and

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Pope presented the memorial of the officers of the first regiment of volunteer light dragoons, from the state of Kentucky, representing that the said regiment had lost in the service of the United States a number of horses, the property of individuals, and praying remuneration; and the memorial was read.

On motion,

*Ordered*, That it be referred to the committee who had under consideration, on the 9th of November last, so much of the message of the President of the United States as concerns our relations with foreign powers, and the subject of volunteers, to consider and report thereon.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act for the relief of John Dixon and John Murray;" and Mr. Varnum was requested to take the chair.

On motion, by Mr. Pope,

To postpone the further consideration of the bill to the first Monday in December next:

It was determined in the negative, { Yeas . . . . . 13,  
Nays . . . . . 15.

On motion, by Mr. Pope,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bibb, Bradley, Crawford, Cutts, Franklin, Howell, Pope, Robinson, Smith, of New York, Tait, Taylor, Turner, and Varnum.

Those who voted in the negative, are,

Messrs. Bayard, Brown, German, Giles, Gilman, Goodrich, Horsey, Hunter, Lambert, Leib, Lloyd, Magruder, Reed, Smith, of Maryland, and Worthington.

And no amendment having been agreed to, the President resumed the chair; and

On the question, Shall this bill be read a third time?

It was determined in the affirmative, { Yeas . . . . . 16,  
Nays . . . . . 12.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

It was determined in the affirmative,

{ Yeas . . . . .	16,
{ Nays . . . . .	14.



On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Brown, German, Giles, Gilman, Goodrich, Gregg, Horsey, Hunter, Lambert, Leib, Lloyd, Pope, Reed, and Smith, of Maryland.

Those who voted in the negative, are,

Messrs. Bibb, Campbell, of Ohio, Crawford, Cutts, Franklin, Howell, Magruder, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

*Ordered*, That Messrs. Bibb, Bayard, Lloyd, Franklin, and Tait, be the committee.

Mr. Pope gave notice that, on Monday next, he should ask leave to bring in a bill for the relief of the representatives of Samuel Lapsley, deceased.

Mr. Bradley gave notice that, on Monday next, he should ask leave to bring in a bill to encourage more effectually the destruction of the armed vessels of the enemy entering the ports and harbors of the United States.

Mr. Taylor gave notice that, on Monday next, he should ask leave to bring in a bill for the relief of Joseph Brevard.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I lay before Congress a statement of the militia of the United States, according to the latest returns received by the Department of War.

JAMES MADISON.

*February 13, 1813.*

The message and statement were read.

The bill from the House of Representatives, entitled "An act for the regulation of seamen on board the public ships and in the merchant service of the United States," was read.

*Ordered*, That it pass to the second reading.

The bill from the House of Representatives, entitled "An act extending the time for issuing and locating military land warrants," was read.

*Ordered*, That it pass to the second reading.

After the consideration of confidential business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

#### MONDAY, FEBRUARY 15, 1813.

✓ Mr. Worthington presented the petition of the President and Directors of the Georgetown and Alexandria Road Company, praying an act may be passed for the better regulation of their tolls, and for sundry other provisions for the improvement of the property, as is stated at large in the petition; which was read.

On motion, by Mr. Worthington,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Worthington, Horsey, and Smith, of Maryland, be the committee.

Mr. Campbell, of Ohio, reported, from the committee, that, on the 13th instant, they laid before the President of the United States the two enrolled bills stated to have been examined on the 12th instant.

Agreeably to notice, Mr. Pope asked and obtained leave to bring in a bill for the relief of the representatives of Samuel Lapsley, deceased; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Worthington gave notice that to-morrow he should ask leave to bring in a bill to authorize and empower the President and Managers of the Washington Turnpike Company of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said District, to the line thereof.

The President communicated the report of the Secretary for the Department of the Navy, comprehending contracts made by that Department during the year 1812, prepared in obedience to the act, entitled "An act further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments;" and the report was read.

Agreeably to notice, Mr. Bradley asked and obtained leave to bring in a bill to encourage more effectually the destruction of the armed vessels of the enemy entering the ports and harbors of the United States; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Magruder, from the committee on the subject of public lands, to whom was referred the bill, entitled "An act giving further time to purchasers of public lands to complete their payments," reported it amended.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act altering the time and place for holding the circuit and district courts in Vermont," reported it without amendment; and,

On his motion,

*Resolved*, That it be postponed to the first Monday in December next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The President communicated the general account of the Treasurer of the United States from October 1st, 1811, to October 1st, 1812; as, also, the accounts of the War and Navy Departments for the same period, together with the reports of the accounting officers of the Treasury thereon; which were read.

The bill from the House of Representatives, entitled "An act to raise ten additional companies of rangers," was twice read by unanimous consent.

On motion, by Mr. Gregg,

*Ordered*, That it be referred to the committee appointed on the 9th of November last, on so much of the message of the President of the United States as concerns our relations with foreign powers, to consider and report thereon.

The bill from the House of Representatives, entitled "An act making provision for an additional number of general officers," was read.

*Ordered*, That it pass to the second reading.

The bill concerning seamen and shipping of the United States was read the second time.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be made the order of the day for to-morrow.

The bill from the House of Representatives, entitled "An act for the regulation of seamen on board the public ships and in the merchant service of the United States," was read the second time.

On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Giles, Bayard, Lloyd, Smith, of Maryland, and Hunter, be the committee

The bill, entitled "An act extending the time for issuing and locating military land warrants," was read the second time.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act supplementary to the act for increasing the navy," in which bill they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The bill, entitled "An act for the relief of John Dixon and John Murray," was read the third time.

*Resolved*, That this bill do not pass.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the resolution proposing an amendment to the constitution of the United States respecting the mode of electing representatives to Congress, and electors of President and Vice President of the United States; and Mr. Gregg was requested to take the chair; and the amendment reported by the select committee having been agreed to, the President resumed the chair.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, FEBRUARY 16, 1813.

On motion, by Mr. Worthington, one of the majority,

It was agreed to reconsider the third reading of the bill, entitled "An act for the relief of John Dixon and John Murray;" and

On the question, Shall this bill pass?

It was determined in the affirmative,

{ Yeas . . . . . 18,  
 { Nays . . . . . 13.



On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bibb, Brown, Dana, German, Giles, Gilman, Goodrich, Horsey, Hunter, Lambert, Leib, Lloyd, Pope, Reed, Smith, of Maryland, Taylor, and Worthington.

Those who voted in the negative, are,

Messrs. Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Gregg, Howell, Robinson, Smith, of New York, Tait, Turner, and Varnum.

So it was

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill which originated in the Senate, entitled "An act giving further time for registering claims to lands in the eastern district of the territory of Orleans, now state of Louisiana," with amendments; in which they request the concurrence of the Senate. They have passed a bill, entitled "An act authorizing the discharge of Daniel Updike from his imprisonment;" a bill, entitled "An act authorizing the appointment of additional officers in the respective territories of the United States;" also, a bill, entitled "An act for the relief of Samuel Ellis;" in which bills they request the concurrence of the Senate. And he withdrew.

The three bills last mentioned were read.

*Ordered*, That they severally pass to the second reading.

Agreeably to notice, Mr. Worthington asked and obtained leave to bring in a bill to authorize and empower the President and Managers of the Washington Turnpike Company of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said District, to the line thereof.

And the bill was twice read by unanimous consent; and,

On his motion,

*Ordered*, That it be referred to the committee appointed yesterday, on the petition of the President and Directors of the Georgetown and Alexandria Road Company, to consider and report thereon.

Agreeably to notice, Mr. Taylor asked and obtained leave to bring in a bill for the relief of Joseph Brevard, of South Carolina; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Smith, of New York, from the joint committee appointed for the purpose, reported, that, pursuant to the resolution, the joint committee of the Senate and House of Representatives yesterday waited on the President of the United States and notified to him his re-election to that office.

Mr. Leib, from the committee to whom were referred the several memorials of Richard Dodd and Elijah Bryan, and of William Compton, made a report; and,

On his motion,

*Ordered*, That the committee be discharged from the further consideration thereof.

The bill for the relief of the representatives of Samuel Lapsley, deceased, was read the second time.

On motion, by Mr. Pope,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Pope, Bayard, and Brown, be the committee.

The bill to encourage more effectually the destruction of armed vessels of the enemy entering the ports and harbors of the United States, was read the second time.

The bill, entitled "An act supplementary to the act for increasing the navy," was read the second time.

On motion,

*Ordered*, That it be referred to the committee appointed on the 9th of November last, on the naval establishment of the United States, to consider and report thereon.

Mr. Bradley presented the memorial of the Pennsylvania Society for promoting the abolition of slavery, stating that the laws prohibiting the African slave trade are violated by American citizens to a very great extent, the flags of foreign nations being employed to protect this traffic, and the ports of those dominions furnishing a market for cargoes thus illegally procured; and praying that means may be devised to restrain more effectually this inhuman practice; and the memorial was read.

On motion,

*Resolved*, That the petition of James Jay be referred to a select committee to consider and report thereon.

*Ordered*, That Messrs. Brent, German, and Robinson, be the committee.

The bill, entitled "An act making provision for an additional number of general officers," was read the second time.

On motion,

*Ordered*, That it be referred to the committee appointed the 9th of November last, on so much of the message of the President of the United States as concerns our relations with foreign powers, to consider and report thereon.

On motion,

It was agreed that the resolution proposing an amendment to the constitution of the United States respecting the mode of electing representatives to Congress, and electors of President and Vice President of the United States, be postponed to, and made the order of the day for, to-morrow.

Mr. Pope, from the committee to whom was referred the bill for the relief of the representatives of Samuel Lapsley, deceased, reported it without amendment.

On motion, by Mr. Worthington,

*Ordered*, That the amendments of the House of Representatives to the bill, entitled "An act giving further time for registering claims to lands in the eastern district of the territory of Orleans, now state of Louisiana," be referred to the committee appointed on the subject of public lands, to consider and report thereon.

The Senate resumed the consideration of the bill vesting in the President of the United States the power of retaliation in the cases therein specified; and, after debate,

*Ordered*, That the further consideration of the bill be postponed to, and made the order of the day for, to-morrow.

After the consideration of the Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, FEBRUARY 17, 1813.

Mr. Campbell, of Tennessee, from the committee to whom was referred the bill, entitled "An act to raise ten additional companies of rangers," reported it without amendment.

He also reported, from the same committee, the bill, entitled "An act making provision for an additional number of general officers," without amendment.

The bill for the relief of Joseph Brevard was read the second time.

On motion, by Mr. Taylor,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Taylor, Bayard, and Pope, be the committee.

The bill, entitled "An act authorizing the discharge of Daniel Updike from his imprisonment," was read the second time.

The bill, entitled "An act for the relief of Samuel Ellis," was read the second time.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act authorizing an increase of the capital stock of the bank of Washington," reported it without amendment.

The bill, entitled "An act authorizing the appointment of additional officers in the respective territories of the United States," was read the second time.

Mr. Worthington, from the committee to whom was referred the bill to authorize and empower the President and managers of the Washington Turnpike Company of the state of Maryland, when organized, to extend and make their turnpike to or from Georgetown, in the District of Columbia, through the said district, to the line thereof, reported it without amendment.

Agreeably to the order of the day, the Senate resumed the consideration of the resolution proposing an amendment to the constitution of the United States, respecting the mode of electing representatives to Congress, and electors of President and Vice President of the United States, together with the amendment to the amendment.

On motion, by Mr. German,

To postpone the further consideration thereof to the first Monday in December next,

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 9, \\ \text{Nays} \dots\dots\dots 19. \end{array} \right.$

On motion,

The yeas and nays having been required by one-fifth of the Senators present,



Those who voted in the negative, are,  
Messrs. Bayard, Bibb, Brent, Brown, Campbell, of Ohio, Campbell, of Tennessee,  
Crawford, Cutts, Franklin, Gaillard, Giles, Howell, Pope, Reed, Smith, of Maryland,  
Taylor, Turner, Varnum, and Worthington.

To amend the amendment, by striking out, from the word "entitled," in the 6th line, to the word "in," in the tenth line, the following words: "each district shall contain, as nearly as may be, equal numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years and excluding Indians not taxed, three fifths of all other persons," and insert, in lieu thereof, "and the electors shall be apportioned amongst the several states according to the whole number of free white persons in each state, including those bound to service for a term of years:"

Messrs. Brent, Brown, Campbell, of Ohio, Campbell, of Tennessee, Crawford,

Cutts, Franklin, Gaillard, Howell, Leib, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

And the bill having been amended, the President reported it to the House accordingly; and,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative, { Yeas . . . . . 20,  
Nays : . . . . . 5.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bibb, Brent, Brown, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Howell, Leib, Reed, Robinson, Smith, of Maryland, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. German, Goodrich, Hunter, Lambert, and Lloyd.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### THURSDAY, FEBRUARY 18, 1813.

The President communicated a letter from William Tatham, in illustration of his documents on the subject of maritime defence, presented on the 24th of December last, which was read; and,

On motion, by Mr. Franklin,

*Ordered*, That his letters and documents above mentioned, be referred to the Secretary for the Department of War, to consider and report thereon.

Agreeably to notice, Mr. Tait asked and obtained leave to bring in a bill to alter the times and places of holding the circuit courts for the sixth circuit of the United States; and the bill was read.

*Ordered*, That it pass to the second reading.

Agreeably to notice, Mr. Lloyd asked and obtained leave to bring in a bill directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned; and the bill was twice read by unanimous consent.

On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Lloyd, Smith, of Maryland, Giles, Brent, and Gaillard, be the committee.

Mr. Campbell, of Tennessee, from the committee to whom the subject was referred, reported, in part, a bill authorizing the payment for wagons and teams captured or destroyed by the enemy; and the bill was read.

*Ordered*, That it be read the second time.

Mr. Brown gave notice that to-morrow he should ask leave to bring in a bill to establish certain post roads in the state of Louisiana.

The bill vesting in the President of the United States the power of retaliation in the cases therein specified, was reported by the committee correctly engrossed, and read the third time.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas . . . . . 17,  
Nays . . . . . 4.

On motion, by Mr. Dana,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brent, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Franklin, Gaillard, Howell, Leib, Magruder, Reed, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Dana, Gilman, Goodrich, and Lambert.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act vesting in the President of the United States the power of retaliation in the cases therein specified."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.



A motion was made, by Mr. German, to postpone the further consideration thereof until to-morrow, which was determined in the negative.

It was determined in the negative,

	{ Yeas . . . . .	13,
	{ Nays . . . . .	19.

It was determined in the affirmative,	{	Ycas . . . . .	22,
		Nays . . . . .	9.

Ordered, That they severally pass to the second reading.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act making an appropriation for the support of government for the year 1813," was read the second time by unanimous consent.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Tait, Bayard, and Smith, of Maryland, be the committee.

Mr. Lloyd presented the memorial of Joseph Wiggin, of Boston, in the state of Massachusetts, stating, that, at the time of the declaration of war, the house of Timothy and Joseph Wiggin had goods to a large amount in Montreal, and other goods, which were shipped before the war was known in England, arrived in Montreal soon after; and, some time in the month of August last, apprehending an invasion of Lower Canada, and that their property thereby would be exposed to danger, they caused it to be removed to the United States, which was seized and libelled by the collector, for a violation of the non-importation law; and praying relief; and the memorial was read.

On motion, by Mr. Lloyd,

*Ordered*, That it be referred to the committee to whom was referred the bill directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned, to consider and report thereon.

Mr. Giles, from the committee to whom was referred the bill, entitled "An act for the regulation of seamen on board the public ships, and in the merchant service of the United States," reported it with amendment.

Mr. Taylor, from the committee to whom was referred the bill for the relief of Joseph Brevard, reported it without amendment.

Mr. Bibb, from the committee to whom was recommitted the bill authorizing the issuing of Treasury notes for the service of the year 1813, reported it without amendment.

The Senate resumed, as in committee of the whole, the consideration of the bill concerning seamen and shipping of the United States; and Mr. Gregg was requested to take the chair; and, after debate, the President resumed the chair, and,

On motion,

*Ordered*, That the further consideration of the bill be postponed to, and made the order of the day for, to-morrow.

The President communicated a report of the Secretary for the Department of State, on the subject of the registered seamen of the United States, prepared in obedience to the order of the Senate of the 28th of January; which was read.

After the consideration of the Executive and confidential business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### FRIDAY, FEBRUARY 19, 1813.

Mr. Goodrich presented the petition of Talcott Wolcott, of Hartford, in Connecticut, stating that his brig Gustavus, with a cargo of 242 hogsheads of rum, and other small articles, arrived at New London, from the Island of Tobago, on the 11th of May, 1811, and was seized and libelled by the collector for a violation of the non-importation law, and condemned in the district court for Connecticut district; and praying relief, for reasons stated in the petition; which was read.

Mr. Bayard submitted the following motion for consideration:

*Resolved*, That the Secretary of the Senate cause to be printed the acts of Congress passed during the present session; and, also, from time to time, the acts which may be passed, and that he furnish each member of the Senate with a copy of the same.

The bill which originated in the House of Representatives, entitled "An act establishing an elementary exercise for the infantry of the militia and army of the United States," was read the second time.

On motion,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Varnum, Reed, Bayard, Smith, of Maryland, and Leib, be the committee.

On motion,

*Ordered*, That the bill which originated in the Senate, establishing the discipline of the army of the United States, and for other purposes, together with the motion of Mr. Campbell, of Tennessee, directing the Secretary for the Department of War to prepare and report a system of military discipline, be referred to the last mentioned committee, to consider and report thereon.



Mr. Brent, from the committee to whom was referred the bill, entitled "An act to incorporate a fire insurance company in the town of Alexandria, in the District of Columbia," reported it without amendment.

The bill, entitled "An act in addition to an act regulating the post office establishment," was read the second time.

On motion, by Mr. Franklin,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Franklin, Brown, and Bayard, be the committee.

On motion, by Mr. Hunter,

*Resolved*, That the bill, entitled "An act authorizing the discharge of Daniel Updike from his imprisonment," be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Hunter, Goodrich, and Howell, be the committee.

The bill to alter the times and places of holding the circuit court for the sixth circuit of the United States was read the second time.

The Senate resumed, as in committee of the whole, the consideration of the bill concerning seamen and shipping of the United States; and Mr. Gregg was requested to take the chair; and

The bill having been amended, the President resumed the chair, and Mr. Gregg reported the bill to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Smith, of Maryland, presented the memorial of the inhabitants of the city of Baltimore, praying that no alteration may be made in the present non-importation acts, for reasons stated at large in the memorial; which was read.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be printed for the use of the Senate.

Mr. Leib presented the memorial of James Josiah and others, stating that they had established, at great expense, salt works at Cape May and Cape Henlopen, for the purpose of making fine salt, and praying an additional duty on the importation of fine salt, or some other encouragement, for reasons stated at large in the memorial; which was read.

Mr. Lloyd presented the memorial of Nathaniel Silsbee and others, merchants, of Salem, in Massachusetts, stating that they were owners of the brig Edwin, which was captured on the 25th of August last, while on a return voyage to the United States, by an Algerine cruiser, where the officers and crew, nine in number, are held as slaves; and praying the interposition of Congress for their relief.

On motion,

*Ordered*, That it be referred to the committee to whom was referred, on the 9th of November last, so much of the message of the President of the United States as relates to our relations with foreign powers, to consider and report thereon by bill or otherwise.

Mr. Brown, agreeably to notice yesterday, asked and obtained leave to bring in a bill to establish certain post roads in the state of Louisiana; and the bill was twice read by unanimous consent.

On motion, by Mr. Brown,

*Ordered*, That it be referred to the committee to whom was referred the bill, entitled "An act in addition to an act regulating the post office establishment," to consider and report thereon.

On motion, by Mr. Bibb,

*Ordered*, That the further consideration of the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813," be postponed to, and made the order of the day for, to-morrow.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act for the relief of Royal Converse;" and

*Ordered*, That it pass to a third reading.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to impose a duty on the importation of iron wire;" and

*Ordered*, That it pass to a third reading.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to raise ten additional companies of rangers;" and

*Ordered*, That it pass to a third reading.

The Senate resumed, as in committee of the whole, the consideration of the bill to encourage more effectually the destruction of armed vessels of the enemy entering

the ports and harbors of the United States. Mr. Varnum was requested to take the chair; and the bill having been amended,

On motion.

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

**SATURDAY, FEBRUARY 20, 1813.**

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act giving further time for delivering the evidence in the support of claims to land in the territory of Missouri, and for regulating the donation grants therein;" a bill, entitled "An act to release the claims of the United States in certain goods, wares, and merchandise, captured by private armed vessels;" a bill, entitled "An act regulating foreign coins, and for other purposes;" a bill, entitled "An act to encourage vaccination;" also, a bill, entitled "An act for the relief of Susannah Wiley;" in which bills they request the concurrence of the Senate.

They have passed the bill which originated in the Senate, entitled "An act for the relief of Reuben Attwater," and the bill for the relief of John Redfield, junior. And he withdrew.

Mr. Lloyd, from the committee to whom was referred the bill directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned, reported it with amendments.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act in addition to an act regulating the post office establishment, reported it with amendment.

The Senate resumed the consideration of the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813." Mr. Varnum was requested to take the chair; and,

On motion, by Mr. Lloyd,

To amend the bill, by striking out, in the fifth section, the following words: "That the Secretary of the Treasury be, and he is hereby, authorized, with the approbation of the President of the United States, to cause to be issued such portion of the said Treasury notes as the President may think expedient in payment of supplies:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 8, \\ \text{Nays} \dots\dots\dots 17. \end{array} \right.$

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Dana, Giles, Gilman, Goodrich, Hunter, Lloyd, and Pope.

Those who voted in the negative, are,

Messrs. Bibb, Brent, Brown, Campbell, of Ohio, Crawford, Cutts, Franklin, Gail-  
lard, Howell, Leib, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and  
Worthington.

On motion, by Mr. Lloyd,

To amend the bill, by striking out, in the 8th section, the following words: "That the said Treasury notes, wherever made payable, shall be every where received in payment of all duties and taxes laid by the authority of the United States:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 11, \\ \text{Nays} \dots\dots\dots 17. \end{array} \right.$

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Dana, German, Giles, Gilman, Goodrich, Hunter, Lloyd, Pope, Reed, and Smith, of Maryland.

Those who voted in the negative, are,

Messrs. Bibb, Brent, Brown, Campbell, of Ohio, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Howell, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

And the bill having been amended, the President resumed the chair; and

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative,	{ Yeas . . . . .	17,
	{ Nays . . . . .	9.

**On motion.**

The yeas and nays having been required by one-fifth of the Senators present,



Messrs. Bayard, Bradley, Giles, Gilman, Goodrich, Hunter, Lambert, Lloyd, and Reed.

So it was

*Resolved*, That this bill pass with amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Bayard, from the committee to whom was referred the memorial of John Worthington and others, and of Oliver Evans, made report; which was read.

On request,

Mr. Brent was excused from serving on the committee to whom was referred the petition of James Jay.

On motion, by Mr. Leib,

*Ordered*, That the committee be discharged from the further consideration of the petition of Margaret Arundell.

Mr. Campbell, of Ohio, reported from the committee that they had examined and found duly enrolled the bill, entitled "An act for the relief of John Redfield, jun." also, the bill, entitled "An act for the relief of Reuben Attwater."

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act making provision for an additional number of general officers."

Mr. Gregg was requested to take the chair; and, no amendment having been agreed to, the President resumed the chair; and,

*Ordered*, That the bill pass to a third reading.

The Senate resumed, as in committee of the whole, the bill directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures; and Mr. Varnum was requested to take the chair; and,

The bill having been amended, the President resumed the chair; and,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I lay before Congress a letter, with accompanying documents, from Captain Bainbridge, now commanding the United States frigate the Constitution, reporting his capture and destruction of the British frigate the Java. The circumstances and the issue of this combat, afford another example of the professional skill and heroic spirit which prevail in our naval service. The signal display of both, by Captain Bainbridge, his officers, and crew, command the highest praise.

This being a second instance in which the condition of the captured ship, by rendering it impossible to get her into port, has barred a contemplated reward of successful valor, I recommend to the consideration of Congress the equity and propriety of a general provision, allowing, in such cases, both past and future, a fair proportion of the value which would accrue to the captors, on the safe arrival and sale of the prize.

JAMES MADISON.

*February 22, 1813.*

The message and accompanying documents were read.

On motion,

*Ordered*, That they be referred to the committee appointed the 9th November, who have under consideration the naval affairs of the United States, to consider and report thereon.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, FEBRUARY 23, 1813.

The Senate resumed the consideration of the motion made on the 19th instant, by Mr. Bayard, for printing the laws; and the motion was adopted.

The bill supplementary to an act, entitled "An act to authorize the making a turnpike road from Mason's causeway to the town of Alexandria," was read the second time.

The bill, entitled "An act to encourage vaccination," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Leib, and Campbell, of Ohio, be the committee.



Mr. Smith, of Maryland, from the committee to whom the subject was referred, reported a bill providing compensation to the officers and crews of the Constitution and Wasp, for capturing and destroying the British frigates Guerriere and Java, and sloop of war Frolic; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Lloyd, from the committee to whom the subject was referred, reported a bill authorizing the remission of fines, penalties, and forfeitures, in certain cases, by a judge of the district court of the United States; and the bill was twice read by unanimous consent.

And it was agreed that it be made the order of the day for Thursday next.

Mr. Leib presented the memorial of a number of inhabitants of the city and liberties of Philadelphia, stating that they are natives of the United Kingdom of Great Britain and Ireland, and citizens of the United States by adoption, and that, by a late proclamation, issued by the Prince Regent of said kingdom, the penalty of death is denounced against such of the natural born subjects thereof as shall adhere or give aid to the United States, thereby subjecting them to the punishment for treason against said kingdom whenever the United States shall call upon them to take part in the existing war, and praying such provision for their protection as the wisdom of Congress may dictate; and the memorial was read.

The bill, entitled "An act to release the claims of the United States in certain goods, wares, and merchandise, captured by private armed vessels," was read the second time.

The bill, entitled "An act regulating foreign coins, and for other purposes," was read the second time.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Giles, Lloyd, and Bayard, be the committee.

The Senate resumed the consideration of the report of the committee to whom were referred the memorials of John Worthington and others, and Oliver Evans, and agreed thereto, as follows:

"That the subject of the memorials is of considerable interest and importance to the community, and involves difficulties which would require more time and patient investigation fully to understand than can be bestowed upon it during the remnant of the present session.

"The committee confine themselves to stating that the grievance complained of by the memorialists first mentioned proceeds from an act of Congress, passed the 21st day of January, in the year 1808, whereby a patent, which had before that time been granted to Oliver Evans for fourteen years, for certain mill machinery, and which had expired by its own limitation, was renewed and continued for fourteen years from the date of the act. It appears that, in the interval between the expiration and renewal of the patent, several grist mills were erected, into which the use of Mr. Evans' machinery was introduced.

By a judicial construction of the act of Congress, it is held to prohibit the use of the machinery after the passing of the act, without the license of the patentee, although the mill and machinery were constructed when no patent or exclusive right existed.

"It also appears that the price at which Mr. Evans rated his licences before the act of 1808, for one water wheel, was from thirty to forty dollars.

"Since that act, his prices have been gradually augmented, and he now requires from three to four hundred dollars for the machinery used in the manufacture of flour by each pair of stones of six feet diameter.

"In a single mill, having several pair of stones, a demand was made of two thousand two hundred dollars for the use of the machinery.

"The machinery is undeniably of great importance to the public, but the increased and increasing prices of the patentee threaten the imposition of an intolerable burthen upon a very useful and important class of manufacturers.

"The committee are not prepared to recommend any specific relief in the case; and, conceiving that it deserves more attention than it can receive during the present session, consider that it would be advisable to abstain from acting upon the subject at this time, and to leave it to the maturer consideration of the ensuing Congress. The following resolution is submitted:

*Resolved*, That the committee to whom were referred the memorials of John Worthington and others, and of Oliver Evans, be discharged from the further consideration of the subject of the said memorials."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to alter the times of holding the district court for the district of New York and Virginia, and to authorize the district judges to appoint commissioners to take affidavits and bail in certain cases;" a bill, entitled "An act to continue in force, for a limited time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'" a bill, entitled "An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization;" also, a bill, entitled "An act forbidding the restoration of goods, wares, and merchandise, seized or libelled under any law prohibiting the importation thereof, laying an additional duty on foreign tonnage, and providing for the unlading of articles on which no duty is imposed, under the inspection of an officer of the customs;" in which bills they request the concurrence of the Senate. They concur in the amendments of the Senate to the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813." The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The three bills first mentioned in the message and brought up for concurrence this day were read.

*Ordered,* That they severally pass to the second reading.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act for the relief of Susannah Wiley," was read the second time.

*On motion, by Mr. Gregg;*

*Resolved,* That it be referred to a select committee, to consider and report thereon.

*Ordered,* That Messrs. Gregg, Goodrich, and Varnum, be the committee.

The bill, entitled "An act allowing further time for delivering the evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein," was read the second time.

*On motion,*

*Resolved,* That it be referred to the committee appointed the 2d of December last on the subject of public lands, to consider and report thereon.

The bill, entitled "An act making provision for an additional number of general officers," was read a third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

The bill directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned, was reported by the committee correctly engrossed, and read a third time.

*Resolved,* That this bill pass, and that the title thereof be "An act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Bayard presented the petition of Thomas Sim Lee and others, citizens of Georgetown, in the District of Columbia, stating that they are proprietors of more than six parts out of seven of the property contained in "Deakins, Lee, and Casanave's," addition to Georgetown, and that considerable inconvenience and obstruction result to them in their improvements, from the present plan or plat thereof; and praying relief.

*On motion, by Mr. Bayard,*

*Resolved,* That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered,* That Messrs. Bayard, Brent, and Hunter, be the committee.

*On motion, by Mr. Leib,*

*Ordered,* That the further consideration of the bill, entitled "An act to incorporate a fire insurance company in the town of Alexandria, in the District of Columbia," be postponed to the first Monday in June next.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

Mr. Varnum, from the committee to whom was referred the report of the commissioners appointed to survey the boundary of the Virginia military reservation, reported



*Resolved*, That the Senate concur in the report, and that the committee be discharged.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act giving further time to purchasers of public lands to complete their payments," together with the amendment reported thereto by the select committee; and Mr. Varnum was requested to take the chair.

It was determined in the negative, { Yeas . . . . . 7,  
Nays . . . . . 18.

It was determined in the negative, { Yeas . . . . . 4,  
Nays . . . . . 24.

Mr. Franklin, from the committee to whom was referred the bill to establish certain post roads in the state of Louisiana, reported it with an amendment.

After the consideration of Executive business,

After the consideration of Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning; to which time the several  
orders of the day were postponed.

**WEDNESDAY, FEBRUARY 24, 1813.**

The bill, entitled "An act forbidding the restoration of goods, wares, and merchandise, seized or libelled under any law prohibiting the importation thereof, laying an additional duty on foreign tonnage, and providing for the unlading of articles on which no duty is imposed, under the inspection of an officer of the customs," brought up yesterday for concurrence, was read.

*Ordered, That it pass to the second reading.*

Mr. Campbell, of Ohio, reported, from the committee, that they yesterday laid before the President of the United States the enrolled bill, entitled "An act for the relief of Reuben Attwater;" also, the enrolled bill, entitled "An act for the relief of John Redfield, junior;" and that they had examined and found duly enrolled the bill, entitled "An act making provision for an additional number of general officers."

The amendment to the bill, entitled "An act giving further time to purchasers of public land to complete their payments," was reported by the committee correctly engrossed, and the bill was read a third time as amended; and

*Resolved*, That this bill pass with amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Tait, from the committee to whom was referred the bill, entitled "An act making appropriations for the support of government for the year 1813," reported it with amendments.

The bill, entitled "An act to alter the times of holding the district court in the respective districts of New York and Virginia, and to authorize the district judges to appoint commissioners to take affidavits and bail in certain cases," was read the second time.

On motion, by Mr. Giles,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

**Ordered,** That Messrs. Giles, Lloyd, and German, be the committee.

The bill, entitled "An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization," was read the second time.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

**Ordered,** That Messrs. Bayard, Goodrich, and Giles, be the committee.

The bill, entitled "An act to continue in force for a limited time the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'" was read a second time.

**Ordered,** That it pass to a third reading.

On motion,

*Ordered*, That the bill, entitled "An act to release the claims of the United States in certain goods, wares, and merchandise, captured by private armed vessels," be referred to a select committee to consider and report thereon.

*Ordered*, That Messrs. Bayard, Lloyd, and Smith, of Maryland, be the committee.

On motion, by Mr. Leib,

*Ordered*, That the further consideration of the bill, entitled "An act authorizing an increase of the capital stock of the Bank of Washington," be postponed to the first Monday in June next.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in committee of the whole, the bill to encourage more effectually the destruction of armed vessels of the enemy entering the ports and harbors of the United States; and the bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the consideration of the bill for the relief of the representatives of Samuel Lapsley, deceased.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative,	{ Yeas . . . . .	16,
	{ Nays . . . . .	8.

On motion,

On motion,  
The yeas and nays having been required by one-fifth of the Senators present,



Those who voted in the affirmative, are,

Messrs. Bayard, Bibb, German, Giles, Gilman, Goodrich, Hunter, Lambert, Leib, Lloyd, Pope, Reed, Smith, of Maryland, Tait, Taylor, and Worthington.

Those who voted in the negative, are,

Messrs. Bradley, Crawford, Franklin, Gaillard, Gregg, Howell, Turner, and Varnum.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The House of Representatives have passed a bill, entitled "An act rewarding the officers and crew of the frigate Constitution;" in which bill they request the concurrence of the Senate. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill last mentioned in the message was twice read by consent, and considered as in committee of the whole; and Mr. Varnum was requested to take the chair; and

The bill having been amended, the President resumed the chair; and

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act authorizing the appointment of additional officers in the respective territories of the United States;" and

*Ordered,* That it pass to a third reading.

On motion, by Mr. Varnum,

*Resolved,* That the bill, entitled "An act for the relief of Samuel Ellis," be referred to a select committee, to consider and report thereon.

*Ordered,* That Messrs. Varnum, Franklin, and Taylor, be the committee.

Mr. Gregg, from the committee to whom was referred the bill, entitled "An act for the relief of Susannah Wiley," reported it with amendment.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled, the bill, entitled "An act for the relief of Royal Converse;" the bill, entitled "An act to impose an additional duty on the importation of iron wire," the bill, entitled "An act to raise ten additional companies of rangers;" the bill, entitled "An act for the relief of John Dixon and John Murray;" also, the bill, entitled "An act authorizing the issuing of Treasury notes for the service of the year 1813,"

The Senate resumed, as in committee of the whole, the bill for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, junior.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

On motion,

*Ordered,* That the further consideration of the bill, entitled "An act for the regulation of seamen on board of public ships and in the merchant service of the United States, be postponed to, and made the order of the day for, to-morrow.

The Senate resumed, as in committee of the whole, the consideration of the bill to authorize and empower the president and managers of the Washington Turnpike Company, of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said District, to the line thereof; and Mr. Varnum was requested to take the chair; and

The bill having been amended, the President resumed the chair; and

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

On motion, by Mr. Dana,

*Resolved,* That the Secretary of State be directed to give to the Senate information of the districts of the customs, for which the collectors, respectively, during the years 1811 and 1812, (according to statements before the Senate,) have not made to the Secretary of State, once in three months, returns of the seamen registered under the act of 28th of May, 1796, entitled "An act for the relief and protection of American seamen," and that the information be laid before the Senate within ten days from the commencement of the next session of Congress.

Mr. Bradley presented the petition of Sylvester Day, a surgeon's mate, who was stationed at Fort Michilimackinac, and, by the capitulation of that place, was made a prisoner of war; and praying to be compensated for property lost, by burning of the brig Detroit, captured by lieutenant Elliott, as stated in the petition; which was read.

On motion, by Mr. Bradley,

*Ordered,* That it be referred to the committee appointed, the 9th November last, on foreign relations, to consider and report thereon, by bill or otherwise.

Mr. Campbell, of Tennessee, further reported, from the committee on foreign relations, a bill for the better organization of the general staff of the army of the United States; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Worthington, from the committee to whom was referred the bill, entitled "An act allowing further time for delivering the evidence in support of claims to land in the territory of Missouri, and regulating the donation grants therein," reported it without amendment.

The Senate resumed, as in committee of the whole, the bill to establish certain post roads in the state of Louisiana; and

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The bill, which originated in the Senate, providing compensation to the officers and crews of the Constitution and Wasp, for capturing and destroying the British frigates Guerriere and Java, and sloop of war Frolick, was read the second time.

The Senate resumed, as in committee of the whole, the consideration of the bill supplementary to an act, entitled "An act to authorize the making a turnpike road from Mason's causeway to the town of Alexandria; and

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Bayard, from the committee to whom was referred the petition of Thomas Sim Lee, and others, reported a bill concerning certain streets in Georgetown; and the bill was read.

*Ordered*, That it pass to the second reading.

The bill the better to provide for the supplies of the army of the United States, and for the accountability of persons entrusted with the same, was read the second time, and made the order of the day for to-morrow.

The Senate resumed, as in committee of the whole, the bill in addition to an act, entitled "An act regulating the post office establishment," together with the amendment reported thereto by the select committee; and, having agreed thereto, the President reported it to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I lay before Congress copies of a proclamation of the British lieutenant-governor of the Island of Bermuda, which has appeared under circumstances leaving no doubt of its authenticity. It recites a British order in council of the 26th of October last, providing for the supply of the British West Indies, and other colonial possessions, by a trade under special licenses; and is accompanied by a circular instruction to the colonial governors, which confines licensed importations from ports of the United States to the ports of the eastern states exclusively.

The government of Great Britain had already introduced into her commerce, during war, a system, which, at once violating the rights of other nations, and resting on a mass of forgery and perjury unknown to other times, was making an unfortunate progress in undermining those principles of morality and religion which are the best foundation of national happiness.

The policy now proclaimed to the world introduces into her modes of warfare a system equally distinguished by the deformity of its features, and the depravity of its character; having for its object to dissolve the ties of allegiance and the sentiments of loyalty in the adversary nation, and to seduce and separate its component parts the one from the other.

The general tendency of these demoralizing and disorganizing contrivances will be reprobated by the civilized and christian world; and the insulting attempt on the virtue, the honor, the patriotism, and the fidelity of our brethren of the eastern states, will not fail to call forth all their indignation and resentment, and to attach more and more all the states to that happy union and constitution, against which such insidious and malignant artifices are directed.

The better to guard, nevertheless, against the effect of individual cupidity and treachery, and to turn the corrupt projects of the enemy against himself, I recommend to the consideration of Congress the expediency of an effectual prohibition of any trade whatever, by citizens or inhabitants of the United States, under special licenses, whether relating to persons or ports, and in aid thereof a prohibition of all exporta-



tions from the United States in foreign bottoms, few of which are actually employed, whilst multiplying counterfeits of their flags and papers are covering and encouraging the navigation of the enemy.

JAMES MADISON.

*February 24, 1813.*

The message and accompanying documents were read.

On motion,

*Ordered*, That they be referred to the committee appointed the 9th of November last, on foreign relations, to consider and report thereon.

The President communicated a report of the Secretary for the Department of Treasury, with a statement of the emoluments of the officers employed in the collection of the customs, for the year 1812; which were read.

The Senate resumed the consideration of the bill, entitled "An act to encourage vaccination."

*Ordered*, That it pass to a third reading.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### THURSDAY, FEBRUARY 25, 1813.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed five enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives concur in the amendments of the Senate to the amendments of the House of Representatives to the bill, entitled "An act giving further time for registering claims to lands in the eastern district of the territory of Orleans, now state of Louisiana."

They have passed a bill, entitled "An act to alter the time for the next meeting of Congress," in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was twice read by unanimous consent.

The President signed the five enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Dana, from the committee appointed on the subject, reported a bill for the government of persons in certain fisheries.

He further reported in part a bill concerning navigation in the coasting trade; and the bills were read.

*Ordered*, That they severally pass to the second reading.

The amendment to the bill, entitled "An act in addition to an act regulating the post office establishment," was reported by the committee correctly engrossed, and the bill was read a third time as amended.

*Resolved*, That this bill pass with amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The bill to encourage more effectually the destruction of the armed vessels of the enemy entering the ports and harbors of the United States, was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to encourage the destruction of the armed vessels of war of the enemy."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill supplementary to an act, entitled "An act to authorize the making a turnpike road from Mason's causeway to the town of Alexandria," was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act supplementary to an act, entitled 'An act to authorize the making a turnpike road from Mason's causeway to the town of Alexandria.'"

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, jr. was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, jr."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill for the relief of the representatives of Samuel Lapsley, deceased, was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of the representatives of Samuel Lapsley, deceased."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The amendments to the bill from the House of Representatives, entitled "An act rewarding the officers and crew of the frigate Constitution," were reported by the committee correctly engrossed, and the bill was read a third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The bill to establish certain post roads in the state of Louisiana was reported by the committee correctly engrossed, and the bill was read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to establish certain post roads in the state of Louisiana."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill to authorize and empower the President and managers of the Washington Turnpike Company of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said district, to the line thereof, was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to authorize and empower the President and managers of the Washington Turnpike Company of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said district, to the line thereof."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill, entitled "An act authorizing the appointment of additional officers in the respective territories of the United States," was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act to encourage vaccination," was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act to continue in force, for a limited time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'" was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill concerning certain streets in Georgetown was read the second time.

Mr. Bibb gave notice that, to-morrow, he should ask leave to bring in a bill concerning the salt springs on the waters of the Wabash river.

Mr. Varnum, from the committee appointed on the 19th instant to consider the subject, reported the bill which originated in the House of Representatives, entitled "An act establishing an elementary exercise of the militia and army of the United States," without amendment.

He also reported a resolution on the subject, which was read, as follows:

*Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to prescribe such a system of military discipline for the army and militia of the United States as he may approve, and that he cause to be laid before Congress, as soon as practicable, such information in relation to a permanent military system of discipline for the army and militia of the United States as may be attainable.

On motion, by Mr. Campbell, of Tennessee,

It was agreed that the bill for the better organization of the general staff of the army of the United States be the order of the day for to-morrow.

Mr. Campbell, of Ohio, reported from the committee that they yesterday laid before the President of the United States the enrolled bill making provision for an additional number of general officers, and this day the five enrolled bills reported yesterday to have been examined.



The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the negative, are,

On the question, Shall this bill be read a third time as amended?

On motion,

Those who voted in the affirmative, are,

Those who voted in the negative, are,

Mr. Campbell, of Tennessee, from the committee to whom was referred the petition of Sylvester Day, reported that the committee be discharged, and that the consideration of the petition be postponed to the next session of Congress, and the report was adopted.

The bill concerning navigation in the coasting trade was read the second time.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Bayard, from the committee to whom was referred the bill, entitled "An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization," reported it with amendment.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act in addition to an act regulating the post office establishment."

They have passed the bill, entitled "An act to authorize and empower the President and Managers of the Washington Turnpike Company, of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said district, to the line thereof;" the bill, entitled "An act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned;" also, the bill, entitled "An act to establish certain post roads in the state of Louisiana."

They have passed a bill, entitled "An act directing evidence to be received on certain claims to lands in the Mississippi territory;" in which bill they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

**Ordered,** That it pass to the second reading.

Agreeably to notice, Mr. Bibb asked and obtained leave to bring in a bill concerning the salt springs on the waters of the Wabash river; and the bill was read.

*Ordered,* That it pass to the second reading.

The President communicated a letter from the Secretary for the Department of Navy, transmitting, by desire of Commodore Bainbridge, a petition, praying compensation to the subscribers, for the destruction of the British frigates *Guerriere* and *Java*, and the letter and papers were read.

Mr. Lloyd, from the committee to whom was referred the petition of O. Rich, reported that the further consideration thereof be postponed to the next session of Congress, and that the committee be discharged therefrom.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government,"



ment, and for the admission of such territory into the Union on an equal footing with the original states;" together with the memorial of Daniel Beverly and others, against being admitted into the Union as a separate state, reported that the further consideration of the bill and memorials be postponed to the next session of Congress.

Mr. Giles, from the committee to whom was referred the bill, entitled "An act to alter the times of holding the district court in the respective districts of New York and Virginia, and to authorize the district judges to appoint commissioners to take affidavits and bail in certain cases," reported it with amendment.

The President communicated a letter from the Secretary for the Department of Treasury, transmitting a statement of the moneys expended, from the commencement of this government to the 31st December, 1812, on account of the surveys and sales of the public lands, and for ascertaining the titles to private claims to land, prepared in conformity with the resolution of the Senate of the 30th of December last; which were read.

The Senate resumed, as in committee of the whole, the consideration of the bill for the better organization of the general staff of the army of the United States; and,

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the further consideration thereof be postponed to, and made the order of the day for, to-morrow.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to alter the time for holding the next meeting of Congress;" and,

On motion,

The bill was read a third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### SATURDAY, FEBRUARY 27, 1813.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act forbidding the restoration of goods, wares, and merchandise, seized or libelled under any law prohibiting the importation thereof, laying an additional duty on foreign tonnage, and providing for the unlading of articles on which no duty is imposed, under the inspection of an officer of the customs," reported it with amendment.

Mr. Varnum, from the committee to whom was referred the bill, entitled "An act making provision for arming and equipping the whole body of the militia of the United States, and for classing the same," reported it without amendment.

He also reported a resolution, which was read and agreed to, as follows:

*Resolved*, That the Secretary of War cause to be laid before the Senate information on the following points:

1st. What is the contract price of the arms contracted for under authority of the act making provision for arming and equipping the whole body of the militia of the United States?

2d. What amount of money has been drawn from the Treasury under the appropriation of the said act; at what times, and in what sums, have such moneys been drawn from the Treasury?

3d. To whom, and at what times, have the moneys drawn as aforesaid been paid?

4th. What is the balance of the appropriation made by the said act remaining unexpended; and has any part of such balance, and, if any, what sum, been carried to the sinking fund?

5th. Has any part of the money appropriated by the said act been applied to the manufacture of arms in the public factories, and, if so, how much?

Mr. Campbell, of Tennessee, from the committee to whom was referred the petition of the first regiment of light dragoons of Kentucky, reported that the committee be discharged from the further consideration thereof; and the report was adopted.

On motion, by Mr. Varnum,

*Ordered*, That the committee to whom was referred the bill to provide for organizing, arming, and disciplining, the militia of the United States, be discharged from the further consideration thereof, and that it be postponed to the fourth Monday in May next.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the committee to whom was referred the petition of George Crown-

The bill concerning salt springs on the Wabash river was read the second time.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act making appropriations for the support of government for the year 1813," together with the amendments reported thereto by the select committee; and Mr. Varnum was requested to take the chair; and,

To strike out the words "fifty thousand dollars," in the 348th line, being contingent expenses of intercourse with foreign nations:

On motion,

Those who voted in the affirmative, are,

Those who voted in the negative, are,

And the bill having been amended, the President resumed the chair.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The amendments to the bill, entitled "An act for the regulation of seamen on board the public ships and in the merchant service of the United States," were reported by the committee correctly engrossed, and the bill was read a third time as amended.

On the question, Shall this bill pass as amended?

On motion,

Those who voted in the affirmative, are,

Those who voted in the negative, are,

So it was

*Resolved*, That this bill pass with amendments; and,

On motion,

The title was amended.

The bill better to provide for the supplies of the army of the United States, and for the accountability of persons entrusted with the same, was reported by the committee correctly engrossed and read a third time, and the blank filled with the word "seven."

*Resolved*, That this bill pass, and that the title thereof be "An act better to provide for the supplies of the army of the United States, and for the accountability of persons entrusted with the same."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Smith, of Maryland, gave notice that on Monday he should ask leave to bring in a bill for the protection of the commerce of the United States against the Barbary powers.

The resolution authorizing the President of the United States to prescribe a system of military discipline, was reported by the committee correctly engrossed.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act to continue in force, for a limited time,



the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States;' the bill, entitled "An act to encourage vaccination;" the bill, entitled "An act authorizing the appointment of additional officers in the respective territories of the United States;" the bill, entitled "An act to alter the time for holding the next meeting of Congress;" the bill, entitled "An act in addition to an act regulating the post office establishment;" the bill, entitled "An act to establish certain post roads in the state of Louisiana;" the bill, entitled "An act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned;" the bill, entitled "An act giving further time for registering claims to lands in the eastern and western districts in the territory of Orleans, now state of Louisiana;" also, the bill, entitled "An act to authorize and empower the President and Managers of the Washington Turnpike Company of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said District, to the line thereof."

Mr. Campbell, of Tennessee, reported, that the committee to whom was referred the petition of Nathaniel Silsbee and others, be discharged from the further consideration thereof; which was agreed to; and,

On his motion,

*Ordered*, That it be referred to the Secretary for the Department of State, to consider and report thereon.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed nine enrolled bills, I am directed to bring them to the Senate for the signature of their President. The President of the United States, on the 25th instant, approved and signed "An act making provision for an additional number of general officers;" "An act to raise ten additional companies of rangers;" "An act authorizing the issuing of Treasury notes for the service of the year one thousand eight hundred and thirteen;" "An act to impose a duty on iron wire;" "An act for the relief of Royal Converse;" also, "An act for the relief of John Dixon and John Murray." The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act rewarding the officers and crew of the frigate Constitution;" they also concur in the amendments of the Senate to the bill, entitled "An act giving further time to purchasers of public lands to complete their payments," with amendments; in which they request the concurrence of the Senate. And he withdrew.

The President signed the nine enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, MARCH 1, 1813.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill which originated in the Senate, entitled "An act vesting in the President of the United States the power of retaliation, in the cases therein specified," with amendments; in which they request the concurrence of the Senate. And he withdrew.

The Senate proceeded to consider the amendments of the House of Representatives to the bill last mentioned.

On motion,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Varnum, from the committee to whom was referred the bill, entitled "An act for the relief of Samuel Ellis," reported it without amendment.

The Senate proceeded to consider the amendments of the House of Representatives to the amendment of the Senate to the bill, entitled "An act giving further time to purchasers of public lands to complete their payments;" and,

On motion,

*Resolved*, That they concur therein with further amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The amendments to the bill, entitled "An act making appropriations for the support of government for the year 1813," were reported by the committee correctly engrossed; and the bill was read a third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Agreeably to notice, Mr. Smith, of Maryland, asked and obtained leave to bring in a bill for the protection of the commerce and seamen of the United States against the Algerine cruisers; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr Campbell, of Ohio, reported, from the committee, that, on the 27th of February, they laid before the President of the United States the nine enrolled bills last reported to have been examined.

On motion,

The consideration of the bill, entitled "An act authorizing the discharge of Daniel Updike from his imprisonment," was resumed, as in committee of the whole, and amended.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The amendment to the last mentioned bill was reported by the committee correctly engrossed, and the bill read a third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion, by Mr. Leib,

*Ordered*, That the bill concerning the salt springs on the waters of the Wabash river be postponed to the first Monday in June next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill which originated in the Senate, entitled "An act better to provide for the supplies of the army of the United States, and for the accountability of persons entrusted with the same." They have passed a bill, entitled "An act to prohibit the use of licences or passes issued under the authority of any foreign government;" a bill, entitled "An act making appropriations for the support of the military establishment, and of the volunteer militia in the actual service of the United States, for the year 1813;" also, a bill, entitled "An act making appropriations for the support of the navy of the United States for the year 1813;" in which bills they request the concurrence of the Senate. They have postponed indefinitely the bill, entitled "An act supplementary to an act, entitled 'An act to authorize the making a turnpike road from Mason's causeway to the town of Alexandria.'" And he withdrew.

The three bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

Mr. Bayard submitted for consideration a resolution requesting the President of the United States to present medals to Captain William Bainbridge, and the officers of the frigate Constitution; and the resolution was twice read by unanimous consent.

On the question, Shall this resolution be engrossed and read a third time?

It was determined in the affirmative.

The resolution last mentioned was reported by the committee correctly engrossed.

Agreeably to notice, Mr. Leib asked and obtained leave to bring in a resolution for additional compensation to the waiters usually attending the Senate; which was read and passed to a second reading.

The Senate resumed, as in committee of the whole, the consideration of the bill for the better organization of the general staff of the army of the United States; and Mr. Varnum was requested to take the chair.

On motion, by Mr. Smith, of Maryland,

To amend the bill, by striking out, in section 1, line 7, the words, "sixteen assistant adjutants general:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 9,} \\ \text{Nays . . . . . 17.} \end{array} \right.$

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, German, Gilman, Goodrich, Lambert, Lloyd, Pope, Reed, and Smith, of Maryland.

Those who voted in the negative, are,

Messrs. Bibb, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Giles, Gregg, Howell, Leib, Magruder, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.



And the bill having been amended, the President resumed the chair; and the bill was further amended by the addition of two new sections.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

On motion,

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act for the relief of Susannah Wiley;" and Mr. Varnum was requested to take the chair; and, the bill having been amended, the President resumed the chair; and

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

On motion, by Mr. Varnum,

The bill, entitled "An act making appropriations for the support of the military establishment, and of the volunteer militia in actual service of the United States, for the year 1813," was read the second time by unanimous consent; and

*Ordered*, That it be referred to the committee appointed the 9th of November last on so much of the message of the President of the United States as relates to the military establishment, &c. to consider and report thereon.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act making appropriations for the support of the navy of the United States for the year 1813," was read the second time by unanimous consent; and

*Ordered*, That it be referred to the committee appointed the 9th of November last on the naval establishment of the United States, to consider and report thereon.

On motion, by Mr. Brent,

*Resolved*, That a committee be appointed to bring in a bill to make the usual provisions for the accommodation of the household of the President of the United States.

*Ordered*, That Messrs. Brent, Gaillard, and Robinson, be the committee.

Mr. Brent, from the committee last mentioned, reported a bill to provide for the accommodation of the President of the United States; and the bill was read.

*Ordered*, That it pass to the second reading.

The engrossed resolution authorizing the President of the United States to prescribe a system of military discipline, reported, on Saturday, by the committee, correct, was read a third time.

*Resolved*, That this resolution pass.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, MARCH 2, 1813.

The bill for the better organization of the general staff of the army of the United States was reported by the committee correctly engrossed, and read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the better organization of the general staff of the army of the United States."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Bayard, from the committee to whom was referred the message of the President of the United States, of the 13th of January last, with the act of the General Assembly of the state of Maryland, therein communicated, reported that the further consideration thereof be postponed to the fourth Monday in May next; and the report was agreed to.

Mr. Bayard, from the committee to whom was referred the bill, entitled "An act to release the claims of the United States in certain goods, wares, and merchandise, captured by private armed vessels," reported it without amendment.

On motion, by Mr. German,

That the memorial of James Jay, with the accompanying documents, be printed for the use of the Senate,

It was determined in the negative; and,

On his motion,

*Ordered*, That the committee on the memorial be discharged, and that the further consideration thereof be postponed to the fourth Monday in May next.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act making appropriations for the support of the navy of the United States for the year 1813," reported it with amendments; which were considered and agreed to; and,

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to alter the times of holding the district courts in the respective districts of New York and Virginia, and to authorize the district judges to appoint commissioners to take affidavits and bail in certain cases;" and the bill was amended as reported by the select committee.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The amendment to the bill, entitled "An act for the relief of Susannah Wiley," was reported by the committee correctly engrossed, and the bill was read third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to their amendments to the bill, entitled "An act giving further time to purchasers of public lands to complete their payments," with amendment, in which they request the concurrence of the Senate. They concur in the amendment of the Senate to the bill, entitled "An act authorizing the discharge of Daniel Updike from his imprisonment;" and in the amendments to the bill, entitled "An act for the regulation of seamen on board the public and private vessels of the United States;" also, in the amendments to the bill, entitled "An act making appropriations for the support of government for the year 1813."

They have passed a bill, entitled "An act making appropriation for alterations and repairs in the Capitol," in which bill they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was twice read by unanimous consent.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Gaillard, Leib, and Smith, of Maryland, be the committee.

On motion,

The Senate resumed, as in committee of the whole, the consideration of the bill authorizing the payment for wagons and teams captured or destroyed by the enemy.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act making appropriations for the support of the military establishment, and of the volunteer militia in the actual service of the United States, for the year 1813," reported it without amendment.

*Ordered*, That it pass to a third reading.

The resolution for additional compensation to the waiters usually attending the Senate was read the second time.

On the question, Shall this resolution be engrossed and read a third time?

It was determined in the affirmative.

The bill, entitled "An act to prohibit the use of licenses or passes issued under the authority of any foreign government," was read the second time.

On motion,

*Ordered*, That it be referred to the committee on foreign relations, to consider and report thereon.

The bill to provide for the accommodation of the President of the United States was read the second time.

The bill for the protection of the commerce and seamen of the United States against the Algerine cruizers was read the second time.

The resolution for additional compensation to the waiters usually attending the Senate; the bill authorizing the payment for wagons and teams captured or destroyed by the enemy; also, the amendments to the bill, entitled "An act to alter the times of holding the district court in the respective districts of New York and Virginia, and to authorize the district judges to appoint commissioners to take affidavits and bail in certain cases," were reported by the committee correctly engrossed.

The resolution requesting the President of the United States to present medals to Captain William Bainbridge, and the officers of the frigate Constitution, having been reported correctly engrossed, was read a third time.



*Resolved*, That this resolution pass.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion, by Mr. Bibb,

*Ordered*, That the further consideration of the bill, entitled "An act to enable the people of the Mississippi territory to form a constitution and state government, and for the admission of such territory into the Union on an equal footing with the original states," together with the report of the select committee on the subject, be postponed to the fourth Monday in May next.

The Senate resumed, as in committee of the whole, the bill, entitled "An act altering the time for holding the district court in the District of Maine."

*Ordered*, That it pass to a third reading.

Mr. Campbell, of Ohio, reported from the committee that they had examined and found duly enrolled the bill, entitled "An act better to provide for the supplies of the army of the United States, and for the accountability of persons entrusted with the same;" the bill, entitled "An act vesting in the President of the United States the power of retaliation;" the bill, entitled "An act making appropriations for the support of government for the year 1813;" also, the bill, entitled "An act rewarding the officers and crew of the frigate Constitution, and the officers and crew of the Wasp."

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States, on the 27th February, approved and signed "An act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned;" "An act giving further time for registering claims to lands in the eastern and western districts of the territory of Orleans, now state of Louisiana;" "An act to establish certain post roads in the state of Louisiana;" also, "An act to authorize and empower the president and managers of the Washington Turnpike Company, of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said District to the line thereof."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the bill from the House of Representatives, entitled "An act extending the time for issuing and locating military land warrants," be postponed to the fourth Monday in May next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in committee of the whole, the bill, entitled "An act supplementary to the act for increasing the navy," together with the amendment reported thereto by the select committee; and

On the question, to agree to the proposed amendment, which goes to strike out, in section 1, line 4, the word "six," and insert "two:"

A division of the question was called for, and, on the question to strike out,

It was determined in the negative, { Yeas . . . . . 9,  
Nays . . . . . 13.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, German, Gilman, Goodrich, Leib, Lloyd, Magruder, Smith, of Maryland, and Tait.

Those who voted in the negative, are,

Messrs. Brent, Brown, Crawford, Cutts, Giles, Gregg, Howell, Robinson, Smith, of New York, Taylor, Turner, Varnum, and Worthington.

On motion,

To strike out, in section 1, line 6, the words "or to procure:"

It was determined in the affirmative, { Yeas . . . . . 16,  
Nays . . . . . 7.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Brown, Crawford, Cutts, Gaillard, Gilman, Goodrich, Gregg, Howell, Leib, Lloyd, Magruder, Smith, of Maryland, Tait, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Bibb, Brent, Campbell, of Tennessee, Robinson, Smith, of New York, Taylor, and Turner.

On motion,

To strike out the seventh section of the bill, as follows:

"SEC. 7. *And be it further enacted*, That the Secretaries of War and Navy be, and they are hereby, authorized to fix the relative rank of officers of the army and navy, to be approved of by the President, and then recorded in the different departments, and deemed and taken as one of the standing rules of the respective departments:"

It was determined in the affirmative, { Yeas . . . . . 14,  
Nays . . . . . 13.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bibb, Brent, Brown, Crawford, Gaillard, German, Goodrich, Lloyd, Magruder, Tait, Taylor, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Campbell, of Tennessee, Franklin, Giles, Gilman, Gregg, Howell, Leib, Pope, Reed, Robinson, Smith, of Maryland, Smith, of New York, and Turner.

And the bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The President of the United States, on the 27th of February, approved and signed "An act authorizing the appointment of additional officers in the respective territories of the United States;" "An act in addition to an act regulating the post office establishment;" "An act to encourage vaccination;" "An act to alter the time for the next meeting of Congress;" "An act to continue in force, for a limited time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers.'"

The House of Representatives have passed the resolution requesting the President of the United States to cause to be prepared and laid before Congress a system of military discipline, with amendments, in which they request the concurrence of the Senate. They have also passed the bill, entitled "An act for the better organization of the general staff of the army of the United States," with an amendment, in which they request the concurrence of the Senate. And he withdrew.

The Senate took into consideration the amendment of the House of Representatives to the bill last mentioned; and,

On motion,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendments of the House of Representatives to the resolution requesting the President of the United States to cause to be prepared and laid before Congress a system of military discipline; and,

On motion,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The President signed the four bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Gaillard, from the committee to whom was referred the bill, entitled "An act making appropriations for alterations and repairs to the Capitol," reported it with amendment.

Mr. Campbell, of Tennessee, from the committee to whom was referred the bill, entitled "An act to prohibit the use of licences or passes issued under the authority of any foreign government," reported it with amendments.

The Senate proceeded to consider their last amendment to the bill, entitled "An act giving further time to purchasers of public lands to complete their payments," disagreed to by the House of Representatives; and,

On motion,

*Resolved*, That they recede therefrom.

*Ordered*, That the Secretary notify the House of Representatives accordingly.



The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act giving further time for delivering the evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein."

*Ordered*, That it pass to a third reading.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I lay before Congress a report of the Secretary of the Treasury, containing a statement of proceedings under the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

JAMES MADISON.

March 1, 1813.

The message and report were read.

After the consideration of Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, MARCH 3, 1813.

Mr. Campbell, of Ohio, reported, from the committee, that they yesterday laid before the President of the United States the four enrolled bills last reported to have been examined.

He also reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act authorizing the discharge of Daniel Updike from his imprisonment;" the bill, entitled "An act for the regulation of seamen on board the public and private vessels of the United States;" the bill, entitled "An act for the relief of Susannah Wiley;" also, the bill, entitled "An act giving further time to purchasers of public lands to complete their payments."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act for the relief of Susannah Wiley." They also concur in the resolution requesting the President of the United States to present medals to Captain William Bainbridge, and the officers of the frigate Constitution." They have passed a bill, entitled "An act concerning invalid pensioners;" also, a bill, entitled "An act prohibiting the exportation of certain articles therein specified, in foreign ships or vessels;" in which bills they request the concurrence of the Senate. And he withdrew.

The two bills last mentioned were severally twice read by unanimous consent.

On motion,

*Ordered*, That the bill, entitled "An act prohibiting the exportation of certain articles therein specified, in foreign ships or vessels," be referred to the Committee on Foreign Relations, to consider and report thereon.

Mr. Campbell, of Tennessee, from the committee to whom was referred the last mentioned bill, reported it without amendment.

On motion,

*Resolved*, That the bill, entitled "An act concerning invalid pensioners," be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Franklin, Giles, and Howell, be the committee.

Mr. Franklin, from the committee to whom was referred the last mentioned bill, reported it without amendment.

The President signed the four enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The amendment to the bill, entitled "An act making appropriations for the support of the navy for the year 1813," was reported by the committee correctly engrossed, and the bill was read a third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The President communicated a report of the Secretary for the Department of War, made conformably to a resolution of the Senate, of the 27th of February last, in relation to the provisions of the "Act for arming and equipping the whole body of the militia of the United States;" and the report was read.

The resolution submitted the 1st instant was read a third time and passed, as follows:

\* *Resolved*, That the Secretary of the Senate be directed to pay to Robert Tweedy, Benjamin Bowen, and Tobias Simpson, fifty dollars each; and to Charles Tims, twenty-five dollars, as an additional compensation for their services during the present session.

On motion, by Mr. Campbell, of Tennessee,

To suspend so much of the twelfth rule for conducting business in the Senate, as provides that the three readings of a bill be on three separate days:

It was determined in the affirmative,  $\begin{cases} \text{Yeas} & \dots\dots\dots 17, \\ \text{Nays} & \dots\dots\dots 11. \end{cases}$

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bibb, Brent, Brown, Campbell, of Tennessee, Crawford, Cutts, Franklin, Gaillard, Howell, Magruder, Robinson, Smith, of New York, Tait, Taylor, Turner, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Bayard, Campbell, of Ohio, German, Giles, Gilman, Goodrich, Leib, Lloyd, Pope, Reed, and Smith, of Maryland.

The bill, entitled "An act making appropriations for the support of the military establishment, and the volunteer militia in the actual service of the United States, for the year 1813," was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

*Ordered*, That the bill for the relief of Joseph Brevard, also the bill to alter the times and places of holding the circuit courts for the sixth circuit of the United States, be severally postponed to the fourth Monday in May next.

On motion,

*Ordered*, That the bill, entitled "An act for the relief of Samuel Ellis;" the bill, entitled "An act establishing an elementary exercise for the infantry of the militia and army of the United States;" also, the bill, entitled "An act regulating foreign coins, and for other purposes," be severally postponed to the fourth Monday in May next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The President communicated the memorial of the legislature of the Indiana territory, stating that, in consequence of the exposed situation of the inhabitants, and the disordered state of the territory, the late purchasers of public lands in said territory have been prevented from cultivating their farms, and thereby rendered unable to pay the future instalments on their purchases to government, and praying such relief as Congress may in their justice extend to them; and the memorial was read.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the bill, entitled "An act to revive and continue in force 'An act declaring the consent of Congress to an act of the state of Georgia, passed the twelfth day of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's.'" They have passed the bill which originated in the Senate, entitled "An act for the relief of the representatives of Samuel Lapsley, deceased;" also, the bill, entitled "An act for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, junior," with amendment; in which they request the concurrence of the Senate. And he withdrew.

The Senate took into consideration the amendment of the House of Representatives to the bill last mentioned; and,

On motion,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The engrossed bill authorizing the payment for wagons and teams captured or destroyed by the enemy was read a third time.

*Resolved*, That this bill pass, and that the title thereof be "An act authorizing the payment for wagons and teams captured or destroyed by the enemy."

The bill, entitled "An act altering the time for holding the district court in the district of Maine," was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The amendments to the bill, entitled "An act to alter the times of holding the district court in the respective districts of New York and Virginia, and to authorize the



district judges to appoint commissioners to take affidavits and bail in certain cases,' having been reported yesterday by the committee correctly engrossed, the bill was read a third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The amendments to the bill, entitled "An act supplementary to the act for increasing the navy," were reported by the committee correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The bill, entitled "An act allowing further time for delivering the evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein," was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Campbell, of Ohio, from the committee, reported that they this day laid before the President of the United States the four enrolled bills last reported to have been examined; and that they had examined and found duly enrolled the bill, entitled "An act for the relief of the representatives of Samuel Lapsley, deceased;" the bill, entitled "An act to revive and continue in force 'An act declaring the consent of Congress to an act of the state of Georgia,' passed the twelfth day of December, 1804, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's;" the bill, entitled "An act for the better organization of the general staff of the army of the United States;" the bill, entitled "An act for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, junior;" and a resolution requesting the President of the United States to present medals to Captain William Bainbridge, and the officers of the frigate Constitution; also, a resolution requesting the President of the United States to cause to be prepared and laid before Congress a system of military discipline.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act to alter the times of holding the district court in the respective districts of New York and Virginia, and to authorize the district judges to appoint commissioners to take affidavits and bail in certain cases." They concur in the amendments of the Senate to the bill "Supplementary to the act for increasing the navy of the United States;" also, in the amendment to the bill, entitled "An act making appropriations for the support of the navy for the year 1813." And he withdrew.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to release the claims of the United States in certain goods, wares, and merchandise, captured by private armed vessels."

On motion,

To postpone the further consideration of the bill to the fourth Monday in May next,

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 14, \\ \text{Nays} \dots\dots\dots 10. \end{array} \right.$

On motion,

The yeas and nays having been required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Brown, Cutts, Dana, German, Giles, Gilman, Goodrich, Leib, Lloyd, Reed, Smith, of New York, Varnum, and Worthington.

Those who voted in the negative, are,

Messrs. Bibb, Brent, Crawford, Franklin, Gaillard, Howell, Robinson, Tait, Taylor, and Turner.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act to prohibit the use of licences or passes, issued under the authority of any foreign government;" and Mr. Franklin was requested to take the chair; and, after debate,

On motion,

The Senate adjourned to 6 o'clock in the evening; to which time the several orders of the day were postponed.

## SIX O'CLOCK IN THE EVENING.

After the Executive business;

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed four enrolled bills, and two enrolled resolutions, I am directed to bring them to the Senate for the signature of their President. The House of Representatives have passed the bill which originated in the Senate, entitled "An act for the relief of Lewis Chacherie;" also, the bill, entitled "An act for the relief of Washington Lee." They have passed a bill, entitled "An act to authorize the Secretary of the Treasury to provide new certificates of entry;" in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read three times by unanimous consent.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

The President signed the four enrolled bills and two enrolled resolutions last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Campbell, of Ohio, reported, from the committee, that they had laid before the President of the United States the four enrolled bills, and two enrolled resolutions, last reported to have been examined; and that they had examined and found duly enrolled the bill, entitled "An act for the relief of Washington Lee;" the bill, entitled "An act for the relief of Lewis Chacherie;" the bill, entitled "An act allowing further time for delivering evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein;" the bill, entitled "An act making appropriations for the support of the military establishment and of the volunteer militia in the actual service of the United States, for the year 1813;" the bill, entitled "An act making appropriations for the support of the navy for the year 1813;" the bill, entitled "An act to alter the time of holding the district court in the respective districts of New York and Massachusetts;" the bill, entitled "An act supplementary to the act for increasing the navy;" also, the bill, entitled "An act altering the time for holding the district court in the district of Maine."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The President of the United States this day approved and signed "An act giving further time to purchasers of public lands to complete their payments;" "An act for the regulation of seamen on board the public and private vessels;" "An act for the relief of Susannah Wiley;" "An act rewarding the officers and crew of the frigate Constitution, and the officers and crew of the Wasp;" also, "An act making appropriations for the support of government for the year 1813." The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. The House of Representatives have passed the bill which originated in the Senate, entitled "An act to encourage the destruction of the armed vessels of war of the enemy." And he withdrew.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill last mentioned.

The President signed the nine enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Campbell, of Ohio, reported, from the committee, that they had laid before the President of the United States the nine enrolled bills last reported to have been examined.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The President of the United States this day approved and signed "An act allowing further time for delivering the evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein;" "An act to alter the times of holding the district court in the respective districts of New York and Massachusetts;" "An act altering the time for holding the district court in the district of Maine;" "An act making appropriations for the support of the navy of the United States for the year 1813;" "An act making appropriations for the support of the military establishment, and of the volunteer militia in the actual service of the United States, for the year 1813;" also, "An act supplementary to the act for increasing the navy." The House of Representatives have passed a resolution for the appointment of a joint committee to wait on the President of the United States and notify him of the intended recess, and have appointed a committee on their part, and request the concurrence of the Senate in said resolution. And he withdrew.



The Senate resumed, as in committee of the whole, the bill, entitled "An act concerning invalid pensioners;" and the bill was amended.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The amendment to the bill last mentioned was reported by the committee correctly engrossed, and the bill was read a third time as amended.

*Resolved*, That this bill pass with amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in committee of the whole, the bill to provide for the accommodation of the President of the United States; and,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The bill last mentioned having been examined, was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in committee of the whole, the consideration of the bill, entitled "An act making appropriation for alterations and repairs in the Capitol." And, no amendment having been agreed to, the bill was read a third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States this day approved and signed the following acts: "An act for the relief of Lewis Chacherie;" "An act for the relief of Washington Lee;" "An act to encourage the destruction of the armed vessels of war of the enemy;" "An act the better to provide for supplies of the army of the United States, and for the accountability of persons entrusted with the same;" "An act vesting in the President of the United States the power of retaliation;" "An act authorizing the discharge of Daniel Updike from his imprisonment;" "An act for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, jun.;" "An act for the relief of the representatives of Samuel Lapsley, deceased;" "An act for the better organization of the general staff of the army of the United States;" "An act to revive and continue in force 'An act declaring the consent of Congress to an act of the state of Georgia, passed the 12th day of December, 1804, establishing the fees of the harbor master and health officer of the port of Savannah and St. Mary's;" "Resolution requesting the President of the United States to cause to be prepared and laid before Congress a system of military discipline;" also, a "Resolution requesting the President of the United States to present medals to Captain William Bainbridge and the officers of the frigate Constitution."

The Senate proceeded to consider the resolution from the House of Representatives, for the appointment of a joint committee to wait on the President of the United States, and notify him of the intended recess; and concurred therein.

*Ordered*, That Messrs. Varnum and Gaillard be the committee on the part of the Senate.

The Senate resumed, as in committee of the whole, the bill, entitled "An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization," and, the bill having been amended,

On the question, Shall this bill be read a third time as amended?

It was determined unanimously in the affirmative—yeas 22.

On motion, by Mr. Smith, of Maryland,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bibb, Brent, Campbell, of Tennessee, Crawford, Cutts, Dana, Franklin, Gaillard, Giles, Goodrich, Howell, Leib, Lloyd, Magruder, Pope, Reed, Smith, of Maryland, Smith, of New York, Taylor, Turner, and Varnum.

And the bill was read a third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion,

*Ordered*, That the further consideration of the bill, entitled "An act prohibiting the exportation of certain articles therein specified in foreign ships or vessels," be postponed to the fourth Monday in May next.

On motion,

*Ordered*, That the further consideration of the bill, entitled "An act to prohibit the use of licences or passes, issued under the authority of any foreign government, be postponed to the fourth Monday in May next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Campbell, of Ohio, reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act making appropriation for alterations and repairs in the Capitol;" also, the bill, entitled "An act to authorize the Secretary of the Treasury to provide new certificates of registry."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Campbell, of Ohio, reported from the committee that they had laid before the President of the United States the two enrolled bills last reported to have been examined.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The President of the United States this day approved and signed "An act making appropriation for alterations and repairs in the Capitol;" also, "An act to authorize the Secretary of the Treasury to provide new certificates of registry."

Mr. Varnum reported, from the committee, that they had waited on the President of the United States, who informed them that he had no further communications to make to the two Houses of Congress.

Whereupon,

The President adjourned the Senate to meet on the fourth Monday in May next,



## APPENDIX.

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### *List of Acts passed during the Second Session of the Twelfth Congress.*

- An act to authorize the transportation of certain documents free of postage.
- An act further to prolong the continuance of the mint at Philadelphia.
- An act making an appropriation to defray expenses incurred, or to be incurred, under an act, entitled "An act to authorize a detachment from the militia of the United States;" and the act, entitled "An act for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," passed the twenty-eighth day of February, one thousand seven hundred and ninety-five.
- An act increasing the pay of non-commissioned officers, musicians, privates, and others, of the army, and for other purposes.
- An act concerning the district and territorial judges of the United States.
- An act to increase the navy of the United States.
- An act directing the Secretary of the Treasury to remit fines, forfeitures, and penalties, in certain cases.
- An act approving the report of the commissioners appointed by the Secretary of War to ascertain and settle the exterior line of the public land at West Point, in the state of New York.
- An act providing navy pensions in certain cases.
- An act authorizing the President of the United States to establish post routes in certain cases.
- An act making certain partial appropriations for the year one thousand eight hundred and thirteen.
- An act supplementary to the act, entitled "An act for the more perfect organization of the army of the United States."
- An act in addition to the act concerning letters of marque, prizes, and prize goods.
- An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope.
- An act in addition to the act, entitled "An act to raise an additional military force."
- An act for the relief of John Binnion.
- An act for the relief of the Bible Society of Philadelphia.
- An act supplementary to an act, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," and to increase the pay of volunteer and militia corps.
- An act for the relief of Jared Shattuck.
- An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory.
- An act authorizing a loan for a sum not exceeding sixteen millions of dollars.
- An act regulating pensions to persons on board private armed ships.
- An act confirming certain claims to land in the district of Vincennes.
- An act making provision for an additional number of general officers.
- An act for the relief of Reuben Attwater.
- An act for the relief of John Redfield, jr.
- An act authorizing the issuing of Treasury notes for the service of the year one thousand eight hundred and thirteen.
- An act for the relief of John Dixon and John Murray.
- An act for the relief of Royal Converse.
- An act to impose a duty on the importation of iron wire.
- An act to raise ten additional companies of rangers.
- An act to alter the time for the next meeting of Congress.



An act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned.

An act in addition to the act regulating the post office establishment.

An act authorizing the appointment of additional officers in the respective territories of the United States.

An act to establish certain post roads in the state of Louisiana.

An act to encourage vaccination.

An act giving further time for registering claims to land in the eastern and western districts of the territory of Orleans, now state of Louisiana.

An act to authorize and empower the President and managers of the Washington Turnpike Company of the state of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said district, to the line thereof.

An act to continue in force, for a limited time, the first section of an act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."

An act authorizing the discharge of Daniel Updike from his imprisonment.

An act for the regulation of seamen on board the public and private vessels of the United States.

An act giving further time to purchasers of public lands to complete their payments.

An act allowing further time for delivering evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein.

An act to alter the times of holding the district courts in the respective districts of New York and Massachusetts.

An act for the relief of Washington Lee.

An act to encourage the destruction of the armed vessels of war of the enemy.

An act better to provide for the supplies of the army of the United States, and for the accountability of persons entrusted with the same.

An act for the relief of Lewis Chacherie.

An act to authorize the Secretary of the Treasury to provide new certificates of registry.

An act rewarding the officers and crew of the frigate Constitution, and the officers and crew of the Wasp.

An act for the better organization of the general staff of the army of the United States.

An act to revive and continue in force "An act declaring the consent of Congress to an act of the state of Georgia, passed the twelfth day of December, one thousand eight hundred and four, establishing the fees of the harbor-master and health-officer of the ports of Savannah and St. Mary's.

An act supplementary to the act for increasing the navy.

An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and thirteen.

An act making an appropriation for repairs and alterations in the capitol.

An act making appropriations for the support of the military establishment, and of the volunteer militia in the actual service of the United States, for the year one thousand eight hundred and thirteen.

An act making appropriations for the support of government for the year one thousand eight hundred and thirteen.

An act for the relief of Susannah Wilcy.

An act altering the time for holding the district court in the district of Maine.

An act vesting in the President of the United States the power of retaliation.

An act for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, junior.

An act for the relief of the representatives of Samuel Lapsley, deceased.

Resolution relative to the brilliant achievements of captains Hull, Decatur, Jones, and lieutenant Elliott.

Resolution requesting the President of the United States to cause to be prepared and laid before Congress a system of military discipline.

Resolution requesting the President of the United States to present medals to captain William Bainbridge, and the officers of the frigate Constitution.



*Senators of the United States whose seats will be vacated:*

1815.	1817.	1819.
Mr. Anderson,	Mr. Bayard,	Mr. Bledsoe,
Brent,	Bibb,	Chase,
Dana,	Brown,	Fromentin,
German,	Campbell, of Tenn.	Gaillard,
Horsey,	Condit,	Goodrich,
Hunter,	Crawford,	King,
Lambert,	Giles,	Lacock,
Leib,	Gilman,	Morrow,
Lloyd,	Howell,	Stone,
Robinson,	Taylor,	Tait.
Smith, of Maryland.	Turner,	New Hampshire, vacant.
Worthington.	Varnum.	Maryland, ditto.